POLICE · BUDGET · EDITION

EDITED BY HAROLD FURNISS

FAMOUS CRIMES

PAST AND PRESENT

ONE · PENNY

HOW HENRY WAINWRIGHT MURDERED HARRIET LANE.

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HOW HENRY WAINWRIGHT KILLED HARRIET LANE

"Whence and what art thou, execrable shape,
That darest, though grim and terrible, advance
Thy miscreated face athwart my way?"
—MILTON, "Paradise Lost."

PART II.

VERY early on the following day the detectives went back again to the warehouse and completed their investigations, when they found a pocket-knife, which had certainly been used for cutting flesh, and upstairs a woman's umbrella, not rolled up. Poking about the fireplace, Detective Newman also discovered two earrings, a wedding-ring, a keeper-ring, and two jet buttons.

While they were doing this, the doctors were hard at work reconstructing the body of the unfortunate mortal as well as possible. The parts had been roughly hewn off, and therefore it was far from easy to determine the exact height of the person, who was a female. Still, by placing the parts as close together as possible, and allowing for shrinking, they decided that the woman was about 5ft. 7in. in height, had small feet, and small hands with long fingers. She had once possessed a mass of auburn or golden hair. The consensus of opinion was that she had been a mother. The right canine tooth in the upper jaw was missing before death, but there were several teeth which had obviously fallen away from their sockets during the process of partial decay.

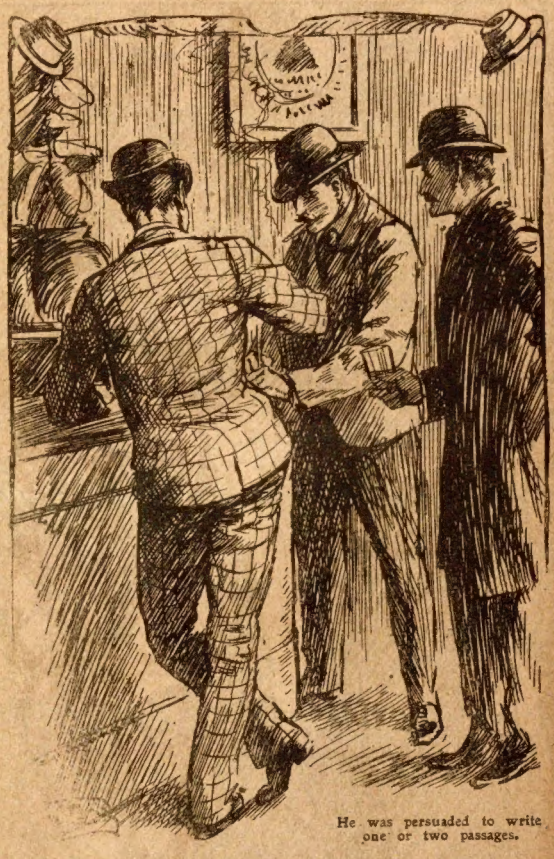
While not actually publishing all these particulars, they notified the public that a body had been found, which had apparently been dead for a year, and, to their surprise, on the 15th of September, Mr. Taylor came to the police office and gave such a detailed account of the missing Harriet Lane that they had no hesitation in permitting him to see the remains. Among other things Mr. Taylor mentioned that his sister-in-law had a scar below her knee, as from a burn, and this was found on the detached leg. The hair, he said, was worn in a peculiar manner, and he described how his sister-in-law used to bunch it up over a hair pad. The remaining tresses of the poor victim were fastened in precisely the same manner, and matters began to look black for Henry Wainwright.

This was enough for the authorities to invite the other members of Harriet Lane's family to come and see the mutilated body, which they did, and identified them as those of the missing girl.

The cause of death was clear; a bullet hole was found behind the right ear, and another just in front of it, both penetrating the brain, and a flattened bullet was found in the hair pad. The first wound was the cause of death. The throat had also been cut, apart from the decapitation, with a small knife.

What a painful sight it must have been in St. Saviour's Mortuary as these poor folk gazed on the disfigured corpse of their relative. No features were visible, for the chloride of lime had eaten them away, but there was ample to prove that the lifeless, dismembered body that lay there on the stone slab was Harriet Lane, the reputed Mrs. King.

This enabled the police to charge Wainwright with murder, and to couple Alice Day as an accessory after the fact. The proceedings before the magistrates opened on the 17th of September, when Henry Wainwright and Alice Day were placed in the dock at Southwark Police Court on the above charges. Merely formal evidence of arrest was taken, together with a brief outline of the facts which led up to that arrest. These were supplied by Stokes, who added to what we have already narrated the statement that as he was carrying his parcel the male prisoner called out to him, "For God's sake don't drop it! The bristles will break." He thought this funny, as it is not often that bristles



He was persuaded to write one or two passages.

do break. He added that he had seen Wainwright and Day drinking together in public-houses on several occasions.

Wainwright seems to have had some little difficulty in getting a lawyer to take up his case, for he first gave instructions to a Mr. Gildey, but at the very first examination before the magistrates that gentleman declined to have anything to do with it, and a Mr. Edwin acted for him on that occasion.

One dramatic scene took place just as the two prisoners were leaving the dock. Alice turned round to Wainwright and piteously exclaimed, "For God's sake tell them what I know of the matter; I know nothing."

Wainwright remarked, "I met her on Saturday; she knows nothing about it."

Alice Day: "I am innocent."

The magistrate (Mr. Benson): "It is probable you may not; but I cannot discharge you now. Get your witnesses ready as to character and knowledge of the other prisoner for the next occasion."

An inquest was, of course, held before the district coroner, Mr. Payne, and after a protracted hearing, which dealt almost exclusively with the medical aspect of the case, it was proved, to the satisfaction of the medical men present, that the body was that of a woman as described, and that she had borne children there could be no reasonable doubt. Her identity was fully established, and everything pointed to Wainwright being the author of her death, so she was committed to her hallowed grave at last, and the coroner made out a warrant for wilful murder against Henry Wainwright.

At the second sitting of the magistrate, as soon as the two prisoners were placed in the dock, the counsel representing the Treasury rose and said that, as to the female prisoner, Alice Day, the only evidence against her was that she got into the cab after leaving Whitechapel, and accompanied Wainwright to the Borough, where she was interrogated by the police, and said that she was waiting for her husband. No doubt the police were right in apprehending her.

Mr. Louis Lewis, on behalf of the female prisoner, demanded her immediate release, as she ought not to remain for a moment under such a dreadful charge. He would show that a number of false statements appeared in the newspapers giving her a bad character, whereas they could not show the slightest suspicion as to her moral reputation.

Mr. Benson, the magistrate, asked if the Treasury withdrew the charge against her, and Mr. Poland said, "Most unreservedly we do."

"I shall not express any opinion," continued the magistrate, "but, since the Crown has withdrawn the charge, you are to be discharged immediately." Alice left the dock amid some applause, for it was generally made known to all that she was a pure girl, but liable to make friends with men, as many of her profession—for she was a ballet girl—were apt to do. Later it was shown that she really was a girl of noble character, and that it was purely her good nature which drew her into this horrible affair.

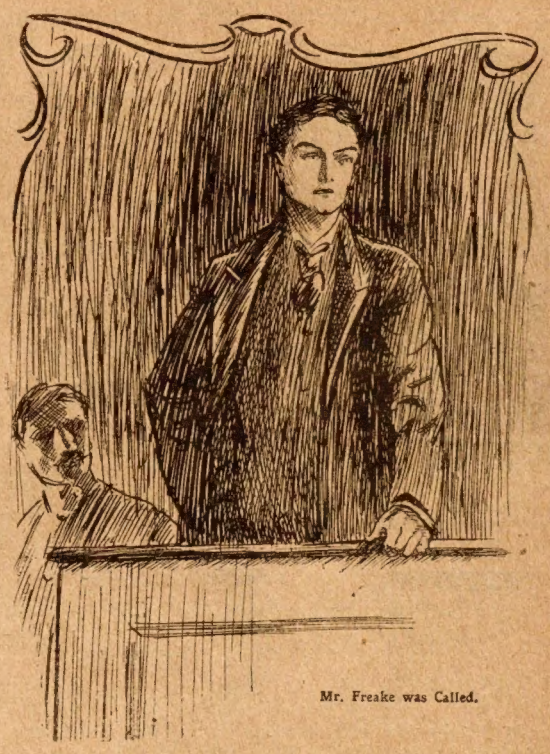
The police were not idle, and Henry Wainwright was soon to have a fresh companion in the dock. Certain telegrams and a letter had been found among Henry's possessions. Mr. Freake was well known, and it was a matter of a moment to call and ask him if he had ever sent the telegrams or the letter. He was highly indignant, and declared that he had never had any communication in writing with Wainwright in his life. He did not go to Paris on the day when the letter which purported to come from there was sent, and his handwriting was totally different. A little inquiry led the police to see that it was a person of a totally different aspect who had sent the wires, and they cast about for the individual. As was natural, they thought that Thomas Wainwright would be the most likely person to assist in getting his brother out of a scrape, so they hunted for him. When he was found, he was persuaded to write one or two passages, "by way of a bet," he having no idea that he was dealing with the emissaries of the law, and the writings when compared were found to agree perfectly. Then he was arrested and placed in the dock alongside his brother, charged with being an "accessory either before or after the fact."

The magisterial proceedings drew out, and at length a good case was established against the two brothers, and they were both committed to take their trials at the next sessions of the Central Criminal Court on the charges of murder and aiding and abetting in the same horrid crime. Thomas was rather depressed, but Henry had regained his spirits, and was calmly awaiting the only result which he could possibly anticipate.

Considerable excitement was manifested not only in the Metropolis, but also throughout the whole of England, in the trial of the two Wainwrights for their crime, or rather the crime with which they had been charged was of such a nature as to excite horror in every breast. Seats in the Old Bailey were at a premium, and the Under-Sheriffs were pestered to grant admission to all sorts and conditions of men, to say nothing of women.

When the November Sessions of the Central Criminal Court opened, and the Lord Mayor, with his sheriffs and aldermen, entered the ancient building to open the Commission of Oyer and Terminer, it was noticed that Lord Chief Justice Cockburn had accompanied him, contrary to the general custom of the judges. From this it was augured that there was some very special point to be put before the grand jury, for the principal of the bench of judges took the charging of the grand jury out of the hands of the Recorder and himself addressed the jurors who were to determine whether primâ facie cases had been presented against the various accused.

The Lord Chief did not dwell long on the minor cases, for he had come for a special purpose, and it was for that alone he wished to charge the grand jury. He pointed out that a terrible murder had undoubtedly been committed, and that two brothers were charged with being concerned in it; the elder as the principal, the younger as an accessory. The question, he said, was not one which could, or ought



Mr. Freake was Called.

to be dealt with by any body of grand jurors, for so much was involved, so much that tended towards the protection of life, that the matter at issue should be put before the petty jury, where counsel could represent both sides, and the whole of the pros and cons be thoroughly thrashed out. With that he would dismiss the gentlemen to their duties, begging them to be most careful not to usurp any of the prerogatives of justice, and to confine themselves solely to the points laid before them and the definite statement whether there was a case to go for trial or not.

It is needless to add that the grand jury saw that no other alternative was left them than to find a true bill against Henry and Thomas Wainwright, which they accordingly did, and the judge appointed the following Monday for the opening of the trial of the accused.

On that day the corridors of the courts were thronged by those who sought admission, but who had failed to obtain it, and hoped to be able later to get a glimpse of the prisoners.

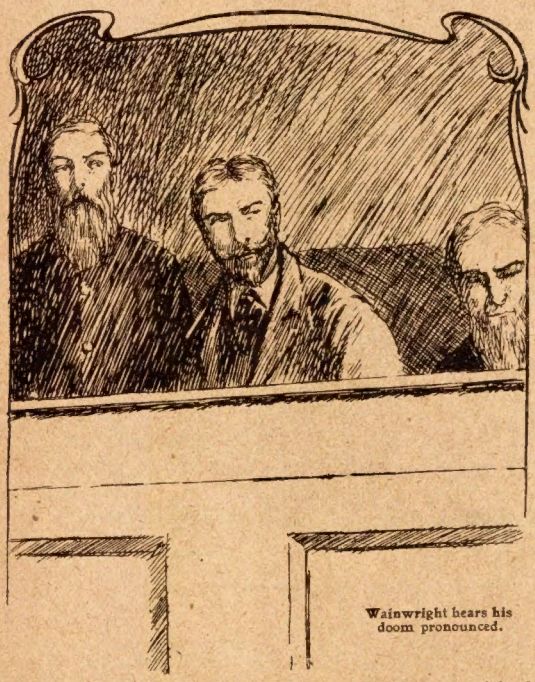
At eleven o'clock in the morning the Lord Chief Justice took his seat on the bench, and silence was called. Then, at the direction of the clerk of arraigns, the two brothers

Wainwright were put into the dock and charged with murder and conniving at murder. Both pleaded "Not guilty."

For the Crown appeared Sir John Holker, the Attorney-General, and with him were Messrs. Beasley and Poland, instructed by Mr. Pollard, the Solicitor to the Treasury. Henry Wainwright was defended by an array of counsel. Mr. Besley led, accompanied by Mr. Douglas Straight, Mr. Tickell, and Mr. Gill, all instructed by Mr. Pelham, while for Thomas, Mr. Moddy, instructed by Mr. King, held a brief.

The proceedings were rendered more solemn by the attendance of the Lord Mayor, accompanied by his sheriffs and sword and mace bearers.

In front of the judge were models of the various buildings which were connected with the case. Then Mr. Poland opened for the Crown, and told the jury as much of the case as we know. He pointed out that there was only one who could have committed this murder, and that person was Henry Wainwright. He detailed the prisoner's private life, showing how he had deceived his wife, who really believed him to be virtuous, and said that there could not be the least



Wainwright hears his doom pronounced.

doubt that he was really carrying on an intrigue with the unfortunate woman Harriet Lane, whose mutilated carcase had been found in his possession. Only one motive, he urged, could have led Wainwright to commit such a crime—pecuniary pressure—and he was prepared to prove that Henry Wainwright was hard pushed for money.

It could not be said that Henry Wainwright had committed this horrid crime in a moment of passion, for it could be abundantly proved that he had purchased some chloride of lime on the day prior to the last day that the victim was seen alive. It might be objected that the actual date of the murder had not been fixed, but he would have no difficulty in producing witnesses who had heard on the 11th of September, 1874, three distinct pistol shots coming from the adjoining building. The shots must have been fired from a revolver, because they were discharged in such rapid succession that it would have been impossible for them to have been fired from a single-barrelled pistol.

More than this, there was evidence of his having purchased the shovel and of having bought the American cloth which the bodies, or fragments of the body, were wrapped in. Could it, then, be believed that the parcels had been given to him by "a gentleman with a moustache"?

The learned counsel then detailed the whole of Wainwright's life in his character of "Mr. King," and said that if the jury had the least idea of justice they would return a verdict of "Guilty."

Witnesses were then called to bear out the statements of the counsel for the prosecution, and notable amongst these was Mrs. Taylor, a sister, and Mrs. Wilmore, who recognised the buttons found in the grate in the warehouse as having been similar to those worn by the murdered woman, and in support of her statement produced several spare buttons of the same pattern which Harriet Lane had left in her rooms. The earrings, wedding and keeper rings, were also identified as having belonged to the dead woman.

Stokes gave his account of the affair, and then the doctors were called, and they swore to the result of the post-mortem examination. They also examined the spade and chopper, and on the latter had found hair which in every way corresponded with that on the scalp of the head removed from the packages in the possession of Wainwright.

So much for the elder brother. The next person to be implicated was Thomas Wainwright, who was to be shown an accessory to the murder.

Mr. Freake was called, and was asked if he had ever written the letters or telegrams which had been found on the person of the elder prisoner. He declared that he had never done so, and further said that he did not know the murdered girl.

On this Henry Wainwright broke out, explaining that it was a Mr. Frieke who had taken her away and who had sent the telegrams. It was not the witness at all, and he could not think how it was that the prosecution could have got hold of him.

Experts were called, and proved that the handwriting in the letter as well as the originals of the telegrams were in the handwriting of Thomas Wainwright, and counsel contended that it was inconceivable that anyone should send such bogus messages if he was not apprised of the reason why they should be sent.

This, with a certain amount of purely technical evidence, completed the case for the Crown, though it took five days to get through.

On behalf of Henry Wainwright, Mr. Besley then addressed the jury. He said that there was a weak link in the chain of evidence which the prosecution sought to establish. They had sought to determine the actual day on which the murder had been committed, and had fixed it at the 11th of September, 1874, because several workmen who were mending a certain cart in a yard adjoining 215, Whitechapel Road had declared that they had heard three pistol shots fired in rapid succession on that day. They were mistaken, for the gentleman to whom the cart was said to belong had been using it at that time and day—or, if he had not been using it, there was a strong presumption that he was probably using it, seeing that he had sent out no less than three tons of rice on that day. More than this, he thought that one of the medical witnesses had forgotten the fact that chloride of lime is a bleaching agent, and that therefore the colour of the hair could not be relied on in identification.

"If I can show that the body found is not that of Harriet Lane," he exclaimed, "then this prosecution must fall to the ground."

He argued that the grave could not possibly have contained the remains of Harriet Lane, for she was taller than five feet, and that the body found must therefore have been taken from some other place. He forgot that bending up corpses had been practised by murderers from time immemorial. One of the medical witnesses, moreover, had had doubts as to whether the woman had ever been a mother, while he could swear that Harriet Lane, or "Mrs. King," had had two children. Lane had very frizzy hair. ("Not frizzy—frizzed," remarked the Chief Justice.) The age of the body found had been based on the wisdom teeth, but it was notorious that that was not a safe criterion to go upon. He begged the jury to remember that there was no appeal against a verdict of "Guilty." Furthermore, the prisoner's counsel suggested that really it was far from improbable that Harriet Lane had committed suicide.

"Really, Mr. Besley," said the Lord Chief, "I have never heard of a suicide burying herself. It may be so, but it is a new phenomenon to me." After that Mr. Besley sat down.

He was followed by Mr. Moody for Thomas Wainwright, for it had been agreed that the two cases should be heard together. He contended that there was the greatest improbability that a man like Thomas Wainwright would take the name of so well-known a person as Mr. Freake if he wanted to write a false letter. Mr. Freake was almost a celebrity, and it would be the height of rashness for anyone to try to impersonate him. It was ridiculous that any of the witnesses for the prosecution should recognise his client, since they had only seen him twice or three times at the most. He insisted that there was not the slightest shadow of evidence to associate Thomas Wainwright with the murder which had been committed.

The only witness for the defence was then called, an ironmonger with whom Thomas had been working till the early part of 1875, and he swore that though his employee had been many times absent he could not definitely say that he was absent on the 11th of September. Rather poor testimony, it will be granted.

The Attorney-General then rose to discuss the evidence for the Crown. He contended that the defence was absurd, was unnatural, was illogical. How his learned friends could have put forward such a theory he failed to see, but the idea of suicide was so absurd that no sane man could entertain it for one second. Suicides never shoot themselves in the back of the head, and, if he might quote the learned judge, it is distinctly unusual for suicides to bury themselves. He wished to impress on the jury that there was only one verdict which could be given in justice.

Lord Chief Justice Cockburn summed up at great length, showing how the prisoner Henry had manifestly plotted the murder of the poor girl to rid himself of an embarrassment. He failed to see that there was any defence, and he continued in his well-remembered strain, "If you believe the evidence of X, then you must find the prisoner guilty, but, if you do not, then the prisoner is entitled to the benefit of the doubt."

With regard to Thomas, the judge had no doubt that he had written the letters, and thought that there was not a particle of evidence to disconnect him from them. The decision rested with the jury.

The jury then retired, and fifty minutes later returned into court. Their names were called over, and they gave a verdict of "Guilty of wilful murder" against Henry, and "Guilty of being an accessory after the fact" against Thomas Wainwright.

Silence having been called, Henry Wainwright was asked what he had to say why judgment to die should not be pronounced on him. He advanced to the front of the dock, and, in a calm voice, said:

"I should like to make one or two observations, which shall be very short indeed. I have first to express my deep obligation for the untiring energy and ability of my counsel during this protracted trial. I thank him, and all who have assisted him, deeply. My thanks are due to the many, many friends who have with such prompt alacrity come forward and given me their valuable and substantial assistance. I have not been able to reply to them personally, but——"

The Lord Chief Justice: "I cannot allow a speech to be made."

Prisoner: "No; not a speech, my lord. I will be very short."

The Lord Chief Justice: "The only thing you were asked was whether you had anything to say why sentence should not be passed."

The Prisoner: "I will simply say, standing, as I now do, on the brink of eternity, in the presence of that God before whom I am shortly to appear, I swear I am not the murderer

WAINWRIGHT'S LAST SMOKE.

of the remains found in my possession. I swear I have never in my life fired a pistol. I swear also, I did not bury those remains. The proof that I did not exhume or mutilate them has been given by witnesses. I have been guilty of great immorality, I have been guilty of many indiscretions, but of the crime of which the jury have brought me in guilty I leave this dock with a calm and quiet conscience. My lord, I thank you for your kindness and patience in hearing me these few words."

The Lord Chief Justice then sentenced the murderer.

"Henry Wainwright, you have been found guilty—in my opinion, upon the clearest and most convincing evidence—of the murder of Harriet Louisa Lane. Nobody who has heard this trial or attended to it can entertain the slightest shadow of a doubt of your guilt, and I can only deplore that, standing, as you say, upon the brink of eternity, you should have made, and called God to witness, the rash assertion which has just issued from your lips. There can be no doubt that you took the life of that poor woman who had been on the closest and most intimate terms of familiarity and affection with you, and had been the mother of your two children. You inveigled her into that lone place. The revolver with which she was slain was not there before, but must have been taken for the purpose. The grave was dug there for her, and her remains were those which you were removing when you were arrested. Of those facts nobody can entertain the shadow of a doubt. It was a barbarous, cruel, inhuman, and cowardly act. I don't wish to say anything to aggravate the position in which you stand, nor to dwell upon the enormity of your guilt, further than that by so doing I may arouse you to a sense of the position in which you stand, in which all hope of earthly mercy is cut off, and the only hope and consolation you can have is of the future, where truth cannot be mistaken, where no assertions of yours will stand in your stead, and where, if you seek for mercy, it must come through sincere repentance of the crime which you have undoubtedly committed. I have only to warn you against any expectation of mercy here. So long as the law exists which says that he that takes the life of a fellow-creature with aforethought malice will answer for it with his own, this is a case to which it would be impossible that mercy could be extended. Therefore, prepare for the doom that awaits you. I have only now to pass on you the dread sentence of the law, that you be taken from hence to the place from whence you came, and thence to a place of lawful execution, that you be there hanged by the neck until you shall be dead, and that your body be afterwards buried within the precincts of the gaol in which you shall have been last confined, and may the Lord have mercy on your soul!"

In sentencing Thomas Wainwright, the judge said that he thought he was leaning towards mercy when he sent him to prison for seven years' penal servitude. The prisoners were then removed.

Henry Wainwright maintained a stolid demeanour up to the day before his execution. He refused to confess that he had committed the actual murder, and several times hinted that it was his brother Thomas who was the culprit, but on the day before the execution he got nervous, and seemed half inclined to admit his guilt However, he pulled himself together, and made up his mind to bear his punishment as a man.

Towards the evening he begged to be permitted to smoke a last cigar, and the humane governor of the gaol allowed him to do so, walking up and down with him in the courtyard. Contrary to what one would expect, all the condemned man would talk about was his success with women, and he boasted of the various girls he had led into the paths of disgrace. The cigar being ended, the convict was led back to the condemned cell, from which he was taken next morning to the dreadful execution shed at Newgate.

Marwood was the hangman, and he did his business expeditiously, if the word of those who were present is to be believed. A single thud, a quiver of the rope, and the foul murder of Harriet Lane was avenged. Wainwright had gone to answer for his crime before another tribunal.

Assyrian Atrocities.

IF we search through the history and literature of the nations of antiquity for evidence of the existence of crime and torture, one country will be found to easily rank first in this respect; it is—Assyria.

About the year B.C. 1750, there sprang up on the banks of the Euphrates a colony which had its original home in Babylonia. These colonists appear to have chosen for themselves a ruler named Ismi-Dagan, of whose reign, however, we know very little. For some time this little nation was tributary to the great power of Babylonia, but little by little they shook off the Babylonian authority, and proclaimed themselves independent, and styled their King "the great King, the mighty King, the King of Assyria."

In course of time, as this nation grew stronger and stronger, they began to notice that a large number of petty States were settled on their borders, or at least not very far away; and as the population increased more territory and food supplies were needed, so that the great Kings of Assyria began to fall upon their weaker neighbours and plundered them of

The lip rings.

all they had, the prisoners, male and female, young and old, being treated with the most barbarous cruelty. It is with the cruelties perpetrated during and subsequent to these campaigns that this article will, in the main, deal, although barbarous customs observed in Assyria at various times will also be given a place.

At what period of Assyrian history these barbarities first took place it is difficult to say. Certain it is, however, that it was not until the nation felt itself strong enough to perpetrate them without fear of reprisals from those upon whom they were inflicted. The first historical evidence which has come down to us dates from the reign of Tigleth Pileser I., about B.C. 1100. This monarch instituted a peculiarly barbarous method of dealing with the unhappy petty chiefs and nobles who were unlucky enough to fall into his hands. It consisted of boring holes in the upper lips of his prisoners, through which was passed an iron ring; attached to this ring was a long chain; and in this manner they were brought into the King's presence, who bade them kneel down, and, as the inscriptions tell us, "kiss his feet." If the King now thought fit to pardon them, the rings and chains were removed, their wounds healed, and they were reinstated in some minor capacity, as Assyrian vassals, in their own kingdoms.

But clemency was not one of the characteristics of the Assyrians, and more often than not their eyes were dug out with a spear while asking for mercy. Our illustration shows the chiefs of the land of Kidmuri as prisoners before Tigleth Pileser I., and is taken from a bas relief discovered at Nineveh, and now in the Louvre Museum, Paris.

One of the historical inscriptions of this King shows how he delighted in this method of torture, and how he gloried in these acts of cruelty. It reads:

"In the course of my expedition to the land of Ardaus,

Hamstringing in the time of Sennacherib.

I drew near. The people of the country from before the face of my mighty weapons trembled, and to save their lives to the mountains they fled. After them I marched, by the power of Assur and Ishtar the gods my supporters I slew them, their blood like water I poured out, and the side of the mountain it coloured.

"Subu-ur-tu, their King, I captured, in bonds of iron and rings of iron, to Nineveh I sent, and in my royal palace his eyes I dug out."

In the time of the King Sennacherib (B.C. 725), so celebrated in Scripture for the sudden destruction of his army, there was another form of torture in use; this was what is known as hamstringing.

In a sculpture which came from the walls of Sennacherib's palace at Nineveh, and which is now in the British Museum, and represents the siege and capture of the City of Lachish, we see one of the principal offenders undergoing this form of punishment.

The prisoner is seen stretched out upon the ground, with arms extended, while two Assyrian soldiers are cutting and drawing the tendons of his legs. A person thus treated would be deprived of the use of his lower limbs for life, and it was the certain knowledge of this that led the Assyrians to adopt it. In practice, we may say that this operation is very much like the trussing of a goose or turkey by a modern chef.

Later, in the period of Assur-bani-pal, B.C. 650, we find that still another, and even more barbarous, method was employed, and, it is said, was actually invented, by this King. It consisted of flaying the victim alive. Over and over again we read in the inscriptions of this King's reign, "makasu akuus"—that is, "I took off his skin."

To give our readers some idea of the amount of cruelty of this period, we quote from a cylinder of Assur-bani-pal which was discovered in his palace and is now in the British Museum, where it may be seen in the Babylonian room. It reads thus:

"Uaiti, King of Arabia, who had fled to save his life, I seized. With a dagger, which hung by my side, I made a hole in his jaws and passed a rope through it. I put a dog's collar around his neck, and placed him in a

Flaying prisoners alive.

cage by the East gate of Nineveh. As for others who had not submitted to me, the power of Adar and Nergal overtook them and my mighty weapons threw them down. As many as I captured, in Nineveh my royal city, I took off their skins, and, for a warning to rebels on the palace walls I nailed."

It is curious to note that, although this King was cruel and even effeminate to the highest degree, credit must be given to him for one act of mercy and wisdom, namely, he stopped human sacrifice throughout his dominions, and especially in Assyria itself.

For centuries it had been the practice to sacrifice victims, mostly children, in order to place their bones under the foundations of new temples and palaces to propitiate the evil spirits of the earth, and thus to ensure the stability of the structure. But, for some reason or other, Assur-bani-pal, about the tenth year of his reign, decided, once and for all, to put an end to this practice, and by a royal proclamation abolished it there and then. The proclamation states that figures of children in clay or hands of adults made of the same material, should henceforth be used for that purpose. When Sir Henry Layard was excavating at Nineveh, in 1847, he discovered a large number of these objects under the foundations of the principal buildings.

We may say, at this period, that the modern custom of placing a bottle with coins, as foundation deposits, had its origin in those primitive days when living or dead human beings were thus deposited, as propitiatory offerings to the spirits, or gods, of the earth.

In the year B.C. 606, the Assyrian Empire was destroyed by the combined forces of Xyaxares of Media and the Babylonian King, Nabo-pal-user; and with it perished its abominable practices, of which we have attempted to give a short account.

He Was a Physiognomist.

A METROPOLITAN Police Magistrate, named Broderip was greatly distinguished for his knowledge of zoology. Serjeant Ballantine once appeared before him in an affiliation case and defended a client who was, as he asserted, unjustly alleged to be the putative father of a child, while the mother with her child was seeking to establish the paternity. The learned magistrate, after hearing the evidence and complimenting the young lawyer on his ingenuity, decided that the defendant was the putative father. Afterwards, in conversation with Mr. Ballantine, the magistrate said he was a bit of a naturalist; and on comparing the child's appearance with that of the defendant said he saw at a glance the relationship, for they were as like each other as two peas. "Good heavens!" replied the lawyer, "why, it was the attorney's clerk you saw, for the putative father was not in court."

Father O'Shea's Ruse.

IN the year 1829, when Mr. S. C. Hall was travelling through Ireland, he lost a saddle, and a certain Father O'Shea was consulted as to the best means of recovering the lost article. This reverend gentleman was a popular parish priest at Balleydehob, the town where the traveller was staying, and he, in reply to the application, said to Mr. Hall, "I'll get back the saddle; come to mass next Sunday, and I'll show you how to do it." Mr. Hall accordingly attended the parish church on the following Sabbath, and at the close of the service the Reverend Father lifted up his voice and said: "Boys, I've something to say to ye before ye go. There's a good man that's doing ye a deal of service—one Colonel Hall, ye know him. Well, he's lost a saddle. Let it be at his door before he wakes to-morrow morning, for if it isn't, the man who stole it will be riding through hell upon that same saddle." The purloined article was on the doorstep with the dawn of morning.

Why He Wanted a Receipt.

AT the Liverpool Police Court, before Mr. Raffles, the Stipendiary Magistrate, a man named Paddy Maloney was once charged with being drunk and disorderly, and fined five shillings. Paddy exclaimed, "Five shillings for being drunk! Och, the divil a five shillings ye'll get out of me!" The magistrate then said he must go to prison for seven days; on which Paddy replied, "Is it take me to prison barrin' I pay the five shillin'?" He deliberately counted out the money. "There ye are, yer worship, and now I'll throuble you for the resate. Och, the divil a bit of money I'll pay without a resate!" Paddy was carried off to prison, but before he was removed from the dock the magistrate asked why he wanted a receipt, when the following explanation was tendered: "Well, I'll tell your worship. Ye see, when I go to take me trial, there'll be St. Pater there, and he'll say to me, 'Paddy Maloney, we're glad to see ye, and we're goin' to let ye in; but before we do we must ax a few questions. First, while ye were on earth did ye pay all your debts?' And I'll say, 'Every one of them, your holy saintship, every one.' And he'll say, Well, if ye paid them all, where are yer resates?' And I'll say, 'I have 'em all here, yer holy saintship, in me big coat pocket, every one, barring one.' And he'll say, 'Paddy Maloney, ye must go and get us that one, for we cannot let ye in without it.' And a mighty unconvanient thing it would be to me your worship, to be cantering round H——l afther you and your clerk to get me resate."

A LIVING TOMB.

A Story of Bramber Castle, Sussex.

RUDYARD KIPLING, in his latest volume of poems, extols the beauty of Sussex scenery. The poet's praise is well deserved, for no English county can boast of scenes more calm, peaceful, and restful than the weald of Sussex. True, that of its coast it may be said:

"Here leaps ashore
the full sou'-west
All heavy winged
with brine."

But inland, nestling under the Sussex hills, there are pretty little villages, well sheltered from "the full sou'-west," so peaceful and Arcadian in appearance that they would seem to be as free from the storms of wild nature as from those of human passion. Such a place is Bramber, yet Bramber Castle, whose ruined walls still stand, sole relics of former grandeur, was the scene of many an awful deed of bloodshed. One story, a tragedy of love, jealousy, and revenge, I propose to tell.

The only remaining wall of the grey old keep has still such rude magnitude left as to prove that in ancient days Bramber Castle was a magnificent place. Standing on a height, the picturesque Adur wound through the landscape at its foot—

"The Channel's leaden line"

in the dim distance, and opposite the coast "the everlasting hills" made as grand a background to-day as they did when Bramber Castle was first erected in early Saxon times.

De Braose, a Norman follower of William the Conqueror, strengthened the old fortress of flint and rubble, and added the keep, the vaults, and the grand apartments in which some scenes of this tragedy took place. With the remark that it was from Bramber, by way of the River Adur, that King Charles escaped from the Parliamentary Army and made his way to France, we may leave the history of the castle, except for such facts as belong to our story.

Bramber Castle, with many a fair estate, came into the possession of the Howard family by marriage. In 1485, its owner, the Duke of Norfolk, was killed at the Battle of Bosworth Field, and the next of kin being an infant, the Crown took possession, and castle and lands were handed over to the keeping of Lord de la Warr. Not wanting to live there himself, Lord de la Warr allowed the castle to be occupied by a friend, or kinsman, Lord Hubert de Hurst, who thought Bramber Castle in fair Sussex a suitably retired place for his honeymoon. Hubert de Hurst, a gouty, choleric roué of over fifty, brought to Bramber a bride scarce out of her teens. "Maud of Ditchling" (a quaint, old-world place near Brighton) was a rustic beauty, who had become the unwilling wife of the ugly old debauchee. Maud possessed the fair beauty of her Saxon race, but she was poor, her family impoverished by their Norman oppressors, and to save, perhaps, some last strip of fertile Sussex land from the greedy clutches of the conquering Norman Lord de Hurst, Maud was forced into his arms.

Simple, romantic, and dreamy, Maud soon found her temperament out of harmony with that of her fiery, impetuous lord. He was the terror of his domestics, who doted on their gentle young mistress. One virtue, however, Sir Hubert did possess—unbounded hospitality. Beer and beef was plentiful at Bramber. Haunches of fat venison always graced the huge sideboards, an ox, roasted whole, ofttimes regaled the servants' hall. Proud to "show off" his beautiful wife, the sport-loving lord was ever inviting to the castle the sportsmen, both Saxons and Normans, of Sussex and Surrey.

But De Hurst was jealous as Othello of his fair bride. Maud was scarcely ever allowed to stray out of his sight, and should she linger a moment in conversation with some gay young noble, Hubert would frown, and lay his hand on the hilt of his sword in a manner which bade the stripling "Beware."

In his hunting and fishing excursions Lord de Hurst would sometimes go to Brighton. It was not Brighton then, but Brightelmstone, a tiny little village, early famous for the salubrity of its air, the game abounding in forest and on the downs, and the abundance of fish on its coast. Here he made the acquaintance of William de Lindfield, a handsome gallant of five-and-twenty, a splendid horseman, a keen sportsman, the last member of a noble but impoverished family.

It was strange that the fiery old lord should take a fancy to a young man of such frank and engaging manners, but "extremes meet," and before he had known him many weeks Lord de Hurst pressed William de Lindfield to spend Christmas-tide at Bramber Castle.

The invitation was accepted.

Lady Maud was told to expect a guest. She heard with indifference (no name was mentioned), and at once despatched

De Hurst Drew the Bolt.

a waiting-woman with instructions to the chamberlain to prepare a guest-chamber.

Did no "presentiment," no "foreboding," warn her of what evil the coming visitor would bring in his train?

A dull December day was closing in when William de Lindfield reined in his spirited horse by the castle gate. The drawbridge was lowered, and the chamberlain and principal servants assembled in the great court to receive the guest. Attracted by the stir which William de Lindfield and his small retinue of prancing horsemen made, Lady Maud looked from a window. Even in the dusky twilight the gallant and manly form of De Lindfield was conspicuous, and Lady Maud felt

the blood rush from her heart as she stood for a moment transfixed, gazing on one who had been her lover, and whom she had loved, before she was forced into the odious marriage with her present lord.

Maud and William had all the self-possession of high-minded natures, and when they were introduced to each other by the unsuspecting husband, their greeting was as indifferent, as cold, as if they were utter strangers.

But the sight of her old playmate, her boy lover, set Maud's heart fluttering with a strange delight, and De Lindfield's voice could not but falter as he muttered some commonplace compliment over her extended hand—a hand which had nestled in his own, and which now belonged to another.

That evening was passed by Maud with "fearful joy," with restrained and subdued delight.

De Lindfield, accomplished in every art, played on the lute and sang. He retailed Court gossip, and conversed with the "gaiety and freedom" which Montaigne declares is the soul of talk. To Lady Maud he said only what politeness demanded, but his general conversation charmed her ear, and even made Lord de Hurst so forgetful of his gout that the

"ASK GOD FOR MERCY, YOU WILL GET NONE FROM ME!"

hound which crouched at his feet was only kicked twice—with the sound foot. So the winter evenings went by until the Christmas festivities and the Christmas dances degenerated into something like a wild orgie. De Hurst, far gone in his cups, relaxed the vigilant watching of his beautiful young wife, who, treading the maze of an intricate dance, found herself one night brushing against De Lindfield.

"One touch to her hand,
And one word to her ear,"

as Sir Walter Scott says of another pair of lovers, and an assignation was made. Had he seen that touch of the delicate taper fingers, had he heard those words, "The crimson chamber," De Hurst would surely have roused in fury from his drunken sleep; but, oblivious of everything, he slept on.

The crimson chamber, near the tower, was a place well chosen for a secret meeting; the domestics shunned the room, which they declared was haunted.

The meeting was a painful one.

"You are unhappy; I know it. How can you be otherwise, the wife of that churl?" said De Lindfield.

"Oh, William, tempt me not," answered Maud. "It is too late; my fate is sealed. Let me go! I must rejoin the company, for, should we be missed, wicked tongues will wag to do me harm."

"Farewell, then—go! But we must meet again." And he met with but faint resistance as he strained her to his heart and pressed her trembling lips to his own.

Lady Maud was right. Very soon wicked tongues were set wagging. Lord de Hurst had a maiden sister—grim, austere, jealous, and suspicious. She had watched Maud's stealthy departure from the dance, she had seen her enter the crimson chamber, and, from without, had heard the voice, though she could not distinguish the words, of De Lindfield. Her story, told to her brother with all the malevolence and skill of a female Iago, was confirmed by the discovery of Lady Maud's glove on the crimson chamber floor.

Raging with jealousy, De Hurst kept his own counsel, and waited, like Othello, for "the proof." Winter turned to spring, and with the spring came De Lindfield on another visit to Bramber. Lord de Hurst feigned illness, and so gave his wife, and her now favoured lover, opportunities of meeting. They met again and again in a little arbour or "pleasure house," and ere long De Hurst had "the proof" of his wife's guilt. He concealed his discovery, was more cordial than ever to his guest, more tender than he had ever been to Lady Maud, who thought ill-health curbed her husband's violent temper, and made him of gentler mood.

More calm and placid on the surface than he had ever been, De Hurst's heart was a volcano raging with jealousy, his whole nature was bent on securing a terrible revenge. Secretly, working only at night, he had the little arbour, or "pleasure house," undermined, and its floor replaced by a trap door, which, when unbolted from below, would swing downwards like the trap door of the modern gibbet. Beneath the arbour he built a spacious vault.

One evening his sister, the ever-watchful spy, told De Hurst that De Lindfield had gone into the castle grounds, and was sauntering towards the arbour.

"Detain the Lady Maud awhile," said De Hurst; "let her not join him yet," and with a diabolical look of malevolence on his face he, too, went towards the castle grounds. By a circuitous path, artfully screened by trees and shrubs,

he reached the rear of the "pleasure house," descended to the underground vault, and before long he heard the impatient lover pacing overhead. With a chuckle of devilish delight De Hurst drew the bolt, and De Lindfield fell down almost into his brawny arms.

Utterly taken by surprise, the younger man could not regain his feet before his throat was clutched in a deadly grasp, and he was dragged to a corner of the vault, and a ponderous gate closed upon him. To close the trap door and hurry round into the little arbour did not take De Hurst many minutes. Here he waited, in darkness, the coming of Lady Maud.

He had not long to wait. A supple, graceful figure entered the arbour, a soft voice murmured, "William!" a pair of white arms were thrown around his neck, and a kiss imprinted on his cheek.

"'Tis the warmest kiss the Lady Maud ever gave her husband," growled De Hurst, as he clutched the wrists of his wife in a grasp of iron.

The guilty creature, discovering her mistake, fell senseless at his feet. He carried her, unperceived by anyone, to her own room. There he watched her with the look of a devil until she recovered her senses.

"Stay here, and make no noise," he hissed in her ear. "Breathe not a word of to-night's doings to any living soul, or with my own hands I will tear thy tongue from between thy false lips."

Next morning De Lindfield did not make his appearance. It was surmised he had returned to Brightelmstone, and during the day De Hurst gave it out that sudden business of a political nature had called his guest to France.

William de Lindfield lay in his cold, dark dungeon. In vain he struggled, raved, and shouted. He was too remote from the castle to be heard, he was in a portion of the grounds whose privacy was sacred to the lady of the castle. At last, when exhausted by his useless struggles for freedom, and by hunger and thirst, he heard his dungeon door open, and through his prison bars he saw the burly figure of his jailer.

"Wretched man," said Lord de Hurst, "it is useless to upbraid such a traitor. I will still treat you with hospitality—while you live, your bread and water shall be sure." So saying, he thrust a loaf of bread and a flask of water through the bars, as one would give food to a wild beast.

Famishing with hunger and thirst, De Lindfield ate and drank, but as he did so, he heard a scraping noise, and peering through the bars of his tiny prison, in which there was not room to turn, he saw De Hurst, by the dim light of a lantern, spread a bed of mortar and lay a course of big "Sussex flints" and rubble between the space in which he (De Lindfield) was confined and the door. The work done, De Hurst, with a malevolent glance at his victim, went out, leaving his prisoner in darkness and solitude, except for rats and noisome vermin.

Another day went by, but no light penetrated De Lindfield's dungeon until, just as he was sinking from exhaustion with frantic beating at his prison bars, and calling for light, food, and drink, De Hurst entered with lamp, loaf, and water. The food was again thrust through the bars, again De Hurst laid a course of cement and stones, building up what De Lindfield now knew to be a tomb.

Oh, the horror of it! For sixteen nights the hellish work went on. Young, clinging to life with the tenacity of youthful strength and hopeless hope, De Lindfield saw himself immured, shut up in a living tomb. He wept, he prayed, he raved as the walls grew up foot by foot, until at last, his mental faculties exhausted, he watched De Hurst's hideous work with the apathy of despair.

* * * * * * *

And Lady Maud?

For days after her guilt had been discovered she lay prostrate and broken down. At last in her case also youth asserted itself, and she gradually took interest in what was going on around her.

Her lover! Her womanly instincts, and the look of triumphant revenge she now and then surprised on De Hurst's face, told her all too plainly that De Lindfield was in his power. But where was he? Was he dead or alive? She dare not ask. She must watch and wait. One night, the seventeenth after the episode of the pleasure house, after all had retired to rest, she heard De Hurst leave his chamber and stealthily tread along the passage. For several nights she had heard the same sounds, but had been too exhausted to follow them up. Determined to find out if it had aught to do with De Lindfield, she now rose, wrapped a thick robe round her, and, with naked feet, she followed the footsteps of her lord. She saw him enter the buttery of the great hall, and place bread and wine in a basket. Then he took his way through the grounds to the "pleasure house." She followed. Her bare feet were cut by the rough gravel, her hands were torn by the thorn hedges by which she crouched. She followed him into the dark and noisome dungeon, saw him thrust the bread and flask through the upper bars of an iron grating, and then hurriedly but securely wall up the little space which had been left. De Lindfield prayed, protested, but all in vain, the only answer was:

"Ask mercy of God, you will get none from me."

Maud grasped the horrible fact. Her lover was entombed alive! With a groan she sank on the cold and clammy floor. De Hurst dropped the light in terror, but he groped for the senseless body of his wife, took her in his arms, and shutting the door of the vault, soon to be a charnel house, he bore his senseless burden to the castle, while the groans of his dying, entombed victim seemed to ring in his ears.

Next morning Lady Maud was found dead in her bed. There were ugly black marks on her fair white throat. De Hurst stood over her—a raving maniac!

* * * * * * *

Many years after, when Bramber's beautiful gardens had been destroyed by the rough "Ironsides" who fought for Cromwell, when the Parliamentarians attacked the castle, and the once peaceful village echoed with the sound of their rude guns, the "pleasure house" was pulled down, and every nook and corner of the castle searched for King Charles and his Royalist supporters. The wall in the vault was levelled and behind it, a skeleton was discovered, crouched in a corner, the head resting on the bony hands, the elbows on the knees. That was all that was left of gallant and handsome William de Lindfield.

What became of De Hurst is not known, but we do know the cruel and rigorous treatment of those who in those days were mad, and "under the curse of God." His fate could hardly have been better than that of his victim.

Such is the story of Bramber Castle.

His Own Customer.

A WITNESS dressed in the height of fashion once gave some very contradictory evidence before Lord Ellenborough, and in cross-examination was asked what his profession or calling was.

"I employ myself as a surgeon," was the reply to the question.

"Yes," said the Lord Chief Justice, "that may be, but does anybody else employ you as a surgeon?"

She Saw the Queen.

MR. JOSEPH WALTON, when on the Northern Circuit, was defending a prisoner at the Liverpool Sessions, and cross-examined one of the witnesses, a woman, thus:

"Tell me, my good woman, what sort of money had you?"

"I had eight shillings in silver, and a sovereign in gold."

Mr. Walton (drawing himself up very solemnly): "Tell me, my good woman, did you ever see a sovereign in anything else than gold?"

"Oh, yes, sir! I saw Queen Victoria, God bless her!"

Mr. Walton sat down amidst the laughter.

The Perils of Metaphor.

BEST, the well-known barrister, was a good speaker as a rule, but he had a habit of using metaphorical expressions on every possible occasion, and sometimes these high-flown forms of speech got mixed in the strangest way.

On one occasion he was conducting a case for debt before a common jury, whom he proceeded to harangue in the following manner: "Gentlemen, with you rests the fate of my client. To him your decision means life or death. He is only poor, and an adverse verdict will ruin him. Consider what it would be, on the other hand, to the plaintiff. Why, it would be nothing to him. He is a man of substance and of means, and to him an unfavourable verdict would only be a flyblow on the ocean!"

An Unconscious Compliment.

JUSTICE WIGHTMAN, when travelling on the Northern Circuit, was one day leaving the court, and found himself walking alongside a countryman whom he had noticed serving as a juryman during the preceding four or five days. He liked the look of the man, got into conversation with him, and soon discovered that this was the first occasion on which he had been at the Assizes. Wightman, amongst other questions, asked him what his opinion of the leading counsel was.

"Well," answered the juryman, "that Lawyer Brougham be a wonderful man. He can talk, he can; but I don't think nowt of Lawyer Scarlett."

"Indeed!" exclaimed Wightman; "you astonish me! Why, you have been giving him all the verdicts."

"Oh, there's nowt in that," was the reply; "he be so lucky, you see; he be always on the right side."

The Murder of the Mate

HOW A SAILOR'S QUARREL LED TO MURDER AND TRANSPORTATION.

"Beware
Of entrance to a quarrel."
—SHAKESPEARE, "Hamlet," Act I., Sc. 3.

THE "Dido," trading vessel, was far from a happy ship. All on board respected and liked the skipper, Captain Carpenter, but the two mates, Tatham and Hills, were at loggerheads, and the crew was divided into factions, favouring one or other of the officers. Several times during her long voyage—she had left England early in 1840—matters had almost come to a head, and mutiny was perilously near breaking out. In December of that year, however, the conditions had improved a little, and when the "Dido" anchored in Benin Roads, on the 12th of January, 1841, peace apparently reigned. The day was sultry, with hardly enough breeze to bring the vessel to her anchorage, and the sea of that dull, leaden colour so well known to those who have been in the tropics. Certainly it was not the kind of day for unnecessary exertion; however, work had to be done, and Captain Carpenter ordered out the gig, saying that he would go ashore and see what was doing in the way of trading, and would return to the vessel on the following evening. Tatham, as chief mate, was left in command.

No sooner had the captain left the ship than Tatham ordered the crew to fall to painting the woodwork and polishing the brass on deck.

"You might give the men a spell," remonstrated Hills. "They've been sweated a lot lately."

"Mind your own business, and get on with the painting," responded the genial mate. Accustomed to obey, Hills turned to and superintended the work, while Tatham lolled in a chair on the poop, alternately dozing and drinking. The men blessed the chief mate all that sweltering afternoon.

His rest seems to have improved Tatham's temper, for when the crew knocked off, he was pleasant enough, and after tea proposed that the second mate and the doctor, Morgan, should play at cards with him for the rest of the evening. They did so, and it was not long before Hills and Tatham were again quarrelling. The quarrels were of short duration, for Tatham ordered up fresh bottles of spirits after each dispute to cement their friendship, and when they separated for the night all three had more liquor beneath their belts than they could well carry. The two mates were maudlinly affectionate, embracing one another and swearing eternal friendship.

Next morning Tatham rose with a sore head and very hot coppers. He strolled into the saloon, where he found the doctor waiting for breakfast, and the steward, a Welshman, named Jones, laying the table. Hills had not yet put in an appearance.

"Have you called Mr. Hills, steward?" asked Tatham. The servant replied that he had done so. "Then what is the d——d old fool keeping us waiting for?" pursued the mate. At that moment Hills came down the ladder, and Tatham greeted him with an oath, and asked him why he was late. The second mate said nothing, but during the progress of the meal was heard muttering "The d——d old fool!" to himself.

Breakfast was nearly over when Tatham said that he was going to keep the men holystoning all the morning, so as to get the decks white. Hills again asked him to let the crew have a little rest, as the weather was unbearably hot, and they had been worked very hard for several months.

"I'll make the beasts slave!" exclaimed Tatham. "You blackguard, Hills, I believe you have secret societies forrard among the men. The forecastle's your place, you lazy dog!"

"By heavens, Mr. Tatham, if you were on deck you would not tell me so!" cried Hills, starting up and shaking his fist at the mate across the saloon table. The doctor rose, anticipating a fight, and the steward turned round from the sideboard where he was standing.

"No; I mightn't tell you so, you brute, but I could do this!" yelled Tatham, purple with passion. And before a hand could be raised to stop him he picked up the carving-knife and plunged it into Hills's breast.

"Oh, heaven, I am dead!" gasped out the second mate, and fell backwards against the companion ladder.

Thoroughly frightened, the steward ran up on to the deck, and shouted "Murder!" at the top of his voice. The crew began to hurry aft, and were met by Tatham, who had come up the gangway. Just as the men were about to seize their officer the doctor appeared from the cabin and said that Hills was dead.

"Oh, heaven, I am dead!"

"What's that?" asked Tatham, but no one answered him.

Then four men brought the body of Hills up on to the deck, and again Tatham asked if he were dead, and was told that he was. With a groan, the mate rushed down to the cabin again, seized the carving knife and plunged it into his own breast. Again and again he stabbed himself before the steward and doctor could secure him, but eventually he was overpowered and taken to his cabin, where his wounds were dressed, and his hands secured to prevent him from further injuring himself. That evening Hills was buried at sea.

When his wounds were sufficiently cured, Tatham was placed in irons and kept in custody during the remainder of the voyage, and when the "Dido" reached London in the following October he was taken to Newgate, and eventually put on his trial at the Old Bailey.

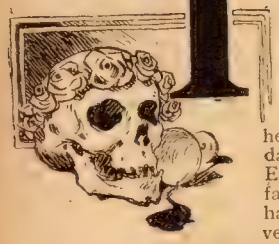
Dr. Morgan had died before the vessel reached England, and the steward was the only witness who actually saw the whole affair. He was able, however, to swear that Hills had first raised his fists to his superior officer, and on the strength of that testimony the charge was reduced to one of manslaughter, of which Tatham was found guilty and condemned to transportation for life. He was sent to Australia, where he lingered for several years, as unpopular amongst the convicts as he was on his own ship.

The Murder of VITELLIUS.

A Tragic Page in Roman History.

"Oh mighty Cæsar! dost thou lie so low?"

—SHAKESPEARE, "Julius Cæsar," Act III., Scene I.



THIS is the history of Vitellius, the glutton, a man in all things contemptible. Two thousand years ago he lived in the city of Rome, the beautiful but decaying mistress of the world. His father was a brave soldier, but otherwise without virtue. His mother was an excellent Roman matron, but from an early age he cared little for her, preferring to dally in the arms of the two Egyptian women who shared his father's favour. There was a fair-haired slave girl, of whom he grew very fond because she brought him grapes and spare dainties from the table; from the cradle to the grave he was ruled by his stomach, so much so that he has come to be accounted the greatest glutton that ever lived. His boyhood passed very pleasantly in his father's villa. In the day his time was chiefly spent with a Greek tutor, and in the baths, of which he was always fond. Many loose-robed and lovely ladies would visit his mother, and amongst these he was a favourite. They would take him into their litters, ply him with fruits, and carry him with them through the streets of the city into the temples of those gods to whom nobody but the common people any longer gave homage or worship. But the old dishonoured temples were very beautiful and cool even in the heat of the day, so that the patrician ladies were fond of going there to sleep in the coolness or to meet their lovers, and with them went little Vitellius.

Soon he grew to be a stripling man, and with his father went out into the world. He was ushered into the most corrupt and vicious state of society that has ever existed, and it was not long before he took an important place in it as a sycophant, a libertine, and, above all, a glutton.

Even as a young man he was disposed to be fat and ungainly; his neck was short, his head square and heavy, his lips thick, and his eyes a dull, uncertain colour. No very attractive figure, you say, but still, despite his unheroic stature, his oily tongue and sycophantic habits made him a favourite with many ladies, and he was accounted by men to have something of his father's skill in the arts of war.

Claudius was Emperor in these days, Claudius, who is remarkable for nothing so much as being the husband of Messalina, most infamous and licentious of all women.

The murders and debaucheries committed by this queen were even sickening Rome; but she was beautiful and powerful, and Vitellius determined to crawl into her favour.

His methods were characteristic. He begged with much humbleness for an old bed slipper of Messalina's, which she gave to him.

The next time he was seen walking abroad a friend noticed something protruding from the breast of his *toga* :*

"What hast thou there, Vitellius?" inquired the friend.

"The most precious thing in all this world."

"And what may it be?"

"Stand aside whilst I show it thee."

With much ceremony Vitellius pulled out Messalina's slipper from his bosom, pressed it to his lips, and covered it with kisses.

* Roman cloak or mantle.

This performance he repeated before as many people as possible, his design being to become notorious at any cost.

He was not disappointed.

The news was carried to Messalina that young Vitellius had been stricken with madness on account of her loveliness, was carrying her slipper in his bosom, and was devouring it constantly with kisses.

Such madness as this pleased the queen; she spoke of Vitellius to Claudius, her husband, the Emperor, who did what his wife told him, and in consequence Vitellius became suddenly exalted to power.

Afterwards Messalina was murdered in her garden, and Claudius went the way of all flesh. Nero became Emperor of Rome.

Nero, as all the world knows, was a sanguinary and licentious madman; none were exempt from his whimsical wrath. Women were seduced, men slaughtered, Christians turned into human torches or dismembered by chariot wheels, atrocities so loathsome that they are unnamable were rampant, and still Vitellius remained in power.

Why was this? Vitellius had persuaded Nero, who sang like a peacock, that he had the voice of an angel; therefore he sat high in Nero's estimation.

Time continued to bring Rome changes. The beautiful city burnt merrily to the Emperor's fiddling, and he in turn fled to his villa, and died by his own hand to escape the engines of torture.

Galba reigned in his stead. Rome, as usual, was engaged in a dozen wars. Vespasian, her most brilliant general, was fighting in the East, when the tribes of Middle Europe once more broke out into insurrection. Rome's northern army, composed mostly of alien soldiers, for the most part Germans, wanted a general.

"Who is to lead them, Cæsar?"* asked the prefects† of Galba.

The Emperor was silent.

"Cæcina," suggested Flavius Sabinus.

"Nay," said Galba.

"Who then, Cæsar?"

"Vitellius."

The prefects were silent. Did Cæsar joke, or was he mad? Did he intend to give the command of his great northern army to Vitellius, the drunken, the greatest of all gluttons?

Cæsar Galba was neither a madman nor a joker, but, in giving Vitellius his northern command, he made a fatal mistake. The reasons for his so doing were briefly these: The general of the northern army was always a person to be feared; he had great power, an unlimited following, and might, if so disposed, make a bold bid for the Royal purple. Now Galba judged Vitellius too mean, too thoroughly contemptible, to harbour such a thought. Therefore, he would be a safe man for the post. Cæcina, the second general, who should have had the command, would do all the fighting, and yet would be subordinate to Vitellius, who was subordinate to the man who gave him the best dinner—who was Galba. Thus the Emperor reasoned in his palace, and thought of himself as a man of infinite cunning. How signally mistaken he was will soon be shown.

Vitellius, accompanied by several mistresses, Asiaticus, his freedman, and numerous cooks, set out from Rome with much pomp and splendour. The great ladies cared little for him—his legs were too thin and his body too fat; but the common people threw up their caps and shouted: "Hail to Vitellius, our new General!"

The rest of his life is told in tableaux.

TABLEAU I.

The scene is the northern camp on the Rhine. Far in the distance are the great towering mountains. Everywhere the green forest-land abounds; wilderness on wilderness of leaves; uncultivated woodland, ravines, bright rivulets, forest pools, tangled gorse, brushwood, and vast wide-stretching plains that never knew the plough nor mortal cultivation. Rude, rugged, uncultivated nature, the giant fastnesses of the northern tribes, of the Saxon and the Goth.

And in the midst of this beautiful wilderness, this "populous solitude of bees and birds," is set down the Roman camp. See, it stretches beyond the range of human eye, these white tents, these gleaming spears, interspersed with the officers' pavilions; this glint of burnished shields that hang in the sunlight. It is a fine scene.

* All Roman Emperors were styled Cæsar.

† The Chief Magistrates of Rome and the Commanders of the Prætorians.

Look at these strong-limbed giants, who talk in groups and companies, many of them unsandalled and unshod, with the skins of slain beasts hung over their mighty shoulders; their long yellow hair hanging around them like golden clouds. Truly, fine men! These are the German soldiers of Rome, the aliens upon whose stalwart arms the lovely city of the Seven Hills depends for safety; for her own men have grown ease-loving, and rot on silken couches in their villas at home. Now and again a dark-eyed Asiatic woman passes through the soldiers' lines in scarlet tunic, with gold clasps binding her ebon hair. They are slaves to the officers' mistresses. It is growing dark; the short twilight dwindles into night, the moon is up above the mountains, innumerable stars come out and stud the heavens. Something is astir of moment in the camp. Hark to the busy hum, the distant shouts, the harsh cries and calls of the German soldiery. What is it all about? We cannot tell, the night is so dark. Listen! The busy hum swells gradually into a wild, jubilant roar. See how the red flames of the torches flash to and fro through the darkness, and strange, scarcely discernible forms rush hither and thither, waving their short, bright swords. Hark to the sound of many footsteps! The soldiery are in company; with shouts and wild, discordant cries the great army sweeps forward; they are coming this way, towards this large pavilion of blue silk, from which not long ago there came forth the strains of music. What is the burden of their mighty cry?

"Vitellius! Vitellius! Vitellius!"

Onwards they rush, waving their flaming torches, their swords, and glittering shields.

The cry swells louder:

"Vitellius, Vitellius, our Emperor!"

They have reached the pavilion, the silken curtains are torn down. What do they disclose? A group of frightened, chattering slaves, huddled in a corner; the remains of a sumptuous repast, strewn on a low table, and a fat, drunken-looking man, enveloped in silken cushions, on a couch. Two women are fanning him, and a third kneels by his side holding a golden bowl full to the brim with red wine and floating rose leaves. Into this scene rush the German soldiers, waving their swords and torches. They stand grouped around the door, huge, uncouth, and savage. Again their cry goes up to heaven:

"Vitellius, Vitellius! We will have Vitellius our Emperor!"

The fat man rises with difficulty from his couch, looks bewildered and perhaps a little frightened, but, for all that, he smiles on his men.

"Emperor, our Emperor is Vitellius!"

He shakes his head.

An officer standing near him whispers in his ear.

"It is the soldiers' wish. We dare not disobey; it would mean death."

This is Cæcina, who has a grudge against Galba, and has engineered the whole affair.

Vitellius bows his head.

Two of the most stalwart Germans step forward, raise him like a child on to their shoulders, and so rush out into the night, followed by the entire army, shouting: "The Emperor! Hail to Vitellius, our Emperor!"

And so they bore the glutton through the camp, these rude, great-hearted savages of the north, by the light of torches and burning braziers, carried him shoulder-high, and proclaimed him their Emperor; and all because he had been too idle to be anything but kind to them, had allowed them licence to plunder and rob at their will, and had been, in short, more their slave than general.

The next day the march to Rome is started.

TABLEAU II.

The scene is Rome. Otho, a Roman general, had murdered Galba, proclaimed himself Emperor, and had reigned as such for those months which Vitellius had spent in marching from the Rhine to Rome, a march which had been long, for Vitellius had spent his time in seducing all the beautiful women he met and in ordering the most expensive banquets in the history of the world. The German soldiery had poured like locusts upon the fair fields of Italy. The vines, the golden cornfields, had been crushed, robbed, and ruined, the temples despoiled, the women dishonoured, and those of the men who refused to join the army murdered, their coffers rifled and their farms burnt. Otho had marched out at the head of an Italian army, had met Vitellius, had been routed, and had finally killed himself.

Vitellius, as Emperor, was entering Rome.

With wild huzzas, the foreign legions file through the streets of the capital; many of them are half-naked, with spears and axes in their hands; others are clad in the skins of wild beasts; all look strangely uncouth and hostile to the cultured Romans. Cæcina, clad in Gallic trousers, looks little like a Roman general, only Vitellius, the Emperor, raised high on a silken litter, appears familiar. The citizens shout, but there is no heart in their cries; it seems to them that this man comes rather as a foreign conqueror than a Cæsar, whilst the matrons, affrighted by the bold eyes of the Germans, hug their daughters close, and pray to their gods for safety.

Vitellius alights from his litter; it is seen that he is fatter and more ungainly than ever. He goes up to his mother and kisses her on both cheeks, and then he is escorted to the palace.

What luxury, what magnificence! They walk through the gardens, rich in Italian roses, pass through the marble columns into the royal apartments.

The throne of the Cæsars is very comfortable, is plentifully cushioned, and Vitellius sinks rather than rises into his imperial seat. Barefooted slave girls hurry hither and thither, bearing the new Emperor wines and fruits. He is crowned with the bay, clad in the purple, acknowledged by Prefect and patricians as Emperor. He has reached the heights of all men's ambition—he is the ruler of the world. His first act (A.D. 69) is to strengthen the prætorians* by raising their numbers up to sixteen thousand, and then he settles down to luxury, gluttony, and the invention of vices.

"I love thee, Cæsar; thou hast been kind to me!"

His wife, of whom we know little, lives in a villa on the Aventine, is seen little by her husband.

He owns a great number of mistresses and slaves, and, above all, there is no numbering his cooks, who are paid and housed like princes.

Vitellius eats four huge meals a day, one of which alone would suffice two ordinary men. Half his day is spent in eating, the other half with his mistresses, and preparing for the next meal. This he does by taking powerful emetics

* The Emperor's bodyguard.

in large quantities, so that when he has thus got rid of one meal he is ready for the next one.

He was Emperor for seven months, and during that time spent on his banquets seven millions in English money.*

But while Vitellius is justifying the pen of Tacitus, who described him as a hog, history is in the making. Vespasian, the wise and popular general of the southern army, has declared against the new German-elected Emperor, and is marching on Rome. Two of Vespasian's generals, Antonius and Ariahs, with a large force, march in the van, and are in sight of Rome before Vitellius can be stirred from the table into action. The man is half-dead with gluttony. All he wants is to be allowed to eat. Dangers hem him in on all sides. Sabinus, the Prefect of Rome, is Vespasian's brother; Cæcina has turned traitor; and, last of all, his great northern army has been utterly routed by Antonius and the hosts of Vespasian.

What shall he do? He is afraid of being murdered, for he wishes to live and eat more dinners. He interviews Sabinus, the Prefect, and tells him he is willing to abdicate if he be allowed a good income and a number of cooks. Sabinus, on behalf of Vespasian, his brother, agrees.

Accordingly, Vitellius, clad in black, is carried in a litter through the streets of Rome, harangues the people, who hate him, informs them of his abdication, and returns to take dinner in the palace. But he has reckoned without his German guards, by whom he was chosen. His abdication is an insult to them, a cowardly surrender to the enemy who has just slaughtered and defeated their kinsmen in battle.

They will have none of it, and, rushing into his presence, declare as much to the Emperor, their servant. They guard every road to Rome, prepare to give the enemy battle, and make a savage onslaught on the house of Sabinus, the Prefect, Vespasian's brother. Sabinus and his friends defend themselves, and there is fierce fighting in the streets of Rome. Slowly but surely the house of Sabinus is captured. The Germans rush in, butcher the inmates, and parade the streets with the Consul's head dripping on the top of a spear. All this is taken by spies into the enemy's camp, and Vespasian swears vengeance.

Another battle, and the Germans are defeated. Another, and Rome and Vitellius are at the mercy of the Emperor's victorious foe.

* Should our readers doubt these extraordinary figures we refer them to Kneightly's "Roman Empire," or any other history of the Cæsars.

TABLEAU III.

All is confusion in the palace of the Cæsars. The German guards are the only soldiers of Vitellius on whom he can place reliance, and these have been reduced by slaughter and desertion to a mere handful. They occupy to-night the palace gardens, feeding their bivouac fires with its stately cedar trees. The Roman citizens, looking on their gigantic forms moving to and fro in the glare, shudder and whisper, pointing them out as half-men, half-demons. The general feeling of the citizens towards Vitellius is hostile; they await but for his downfall to rejoice. The end is very near.

THE MURDER OF VITELLIUS.

Crowds of slaves, both male and female, chiefly Greeks and Asiatics, are pouring forth from every egress in the palace, hurrying through the gardens in evident dismay. None of them are empty-handed, and the value of their burdens denotes that those who now flee intend never to return.

The trumpets are sounding before the spacious front of the palace; the guards are forming to resist an attack. An attempt will be made to hold the enemy in check whilst Vitellius, disguised as a slave, makes his escape. Let us enter the palace. Much of its value has already been cleared away. Shawls, arms, jewels, vases, and statues are scattered about in magnificent confusion. The rooms seem endless, opening one into another, and each more splendid than the last. Suddenly we come upon a group of people clad in

robes of state, with garlands on their heads, reclining round the fragments of a feast, a flagon or two of wine, and a golden cornucopia of fruit and flowers.

Vitellius is busy; Vitellius must not be disturbed; Vitellius is eating his last feast. Yes, certainly his last, for the guards can only hold the gardens another half-hour, and then Julius Placidus, at the head of two hundred gladiators, will be here, ravaging, despoiling, and slaying. The few remaining guests fly from the table. Vitellius remains—eating.

He is reclining on a couch, his dress disordered, a garland of roses on his head, his heavy, swollen face expressing nothing but sullen, torpid calm. He sees that all is lost, and yet the supper to which he lately sat down with half-a-dozen favourite eunuchs was no less elaborate than usual; the wine flowed as freely, he ate as enormously, and when he could eat no more retired for his dessert on to a couch strewn with garlands of roses.

Suddenly he rises, as if from a dream. The table is deserted; the guests have flown. He is encompassed in a terrible silence. Far away in the distance he hears shouts and the sound of clashing arms. The enemy are in the gardens, the guards are beset, and will soon be routed. If he is to live, he must disguise himself, and fly this instant; and yet he moves not, but seems turned to stone.

Vitellius Cæsar is in his royal robes, in his palace of magnificence, surrounded with luxury and splendour. What mockery is all this? There is no splendour, no magnificence; only a cringing, besotted, miserable old man, with the face of a drunkard, caught like a rat in a death-trap.

He calls on his eunuchs.

There is no response. All, all, have left him alone, with imminent death. He begins to cry, to wring his hands, and to pray to those gods he has so long forgotten.

The sound of the conflict grows louder; a great door crashes.

The Germans are dying well, and all Rome is a scene of riot and bloodshed. Presently the Germans will be dead, and then they will torture Vitellius and kill him—oh, so slowly!

With a cry of terror, he rises and shuffles from the banquet-hall, and goes from room to room, saying to himself that he must fly, and yet not knowing how to, so dazed is his mind.

Presently he hears the sound of bare feet slipping over the marble floors of one of the halls. He crouches in a corner, half-dead with fear. Surely he comes, a revengeful enemy, to anticipate with the assassin's dagger Vespasian's swords.

Someone kneels before him and kisses the hem of his gown—the robe of Imperial Cæsar.

"Cæsar!" pleads a soft voice.

Vitellius gains courage to raise his eyes.

A girl is kneeling before him, one of the slaves from Egypt, whom he remembers to have seen frequently an attendant at his feasts.

"Cæsar, the enemy are upon us!"

"I know it, child. What would you?"

"Fly, Cæsar, fly, and save thy life, I pray of thee!"

The slave clasps her hands in supplication, her black eyes are swimming with tears. Strange that in all the world this man should find one heart that loved him, that beat loyally for him, that sorrowed for his downfall.

Even Vitellius is touched.

"What is all this to thee, child?" says he.

"I love thee, Cæsar; thou hast been kind to me."

Kind! A few morsels thrown from a feast, as to a dog, by a drunkard's hand, and a young life offered in return!

A fearful crash, a wild, triumphant shout, and the sound of mail-shod feet clattering into the palace. It is over; the Germans were brave, but they are dead; the enemy is upon Vitellius.

He lifts his head with the despairing look of a hunted animal that is snared at last, and then a sudden idea rushes into his brain.

"Swift, child!" he cries to the slave. "Into that apartment—into my bed! Cover yourself, cover yourself; they will think it is me!"

The slave, without a word, runs to do his bidding.

Vitellius flies from the hall, whither he knows not.

Julius Placidus, at the head of an army, ravages every apartment. These steel-clad men are bespattered with blood, many of them have wounds—the Germans did not die for nothing. The lust of killing is in their eyes; they will not be denied their lawful prey.

Every curtain is slit into shreds by their swords; tables are overturned; red wine runs on the floors; flowers, garlands, and flagons are trampled underfoot; every nook and corner of the despoiled palace is searched; and yet—where is Cæsar?

He cannot have escaped, for every entrance is guarded.

Julius Placidus calls a halt, and then bethinks himself of the bedroom. Cursing himself for a fool, at the head of his men he rushes into the apartment. A human form lies curled up in the bed, its head swathed in a mantle.

"Cæsar!" cries Placidus; and the next moment the slave girl is dragged from the bed. A shout of rage and disappointment goes up from the soldiers.

"Where is Cæsar?" cried Placidus to the girl.

"I know not, General," she replies.

With an oath, he drives his sword into her breast, and she falls writhing at his feet. The soldiers sharpen their swords upon the frail young body, and place her head upon a spear. Once more they go out to search for Cæsar.

She was a slave. We do not even know her name; and yet her heart was the bravest of any that beat that night in Cæsar's palace. Poor child! We mourn you more than the Germans or the gladiators. You alone amongst them all conquered death with love!

Julius Placidus and his men have searched everywhere, and at last come to the dog-kennels. The dogs are killed. A soldier, groping in the narrow hutch, finds a bundle of life which was once Imperial Cæsar.

Torn, bleeding, and dishevelled, they drag him forth. His hands are tied behind his back, a rope is put about his neck, and he is pelted with mud and dirt as he is led forth to the public gaze.

"Cæsar should hold his head high," says Placidus, and sticks a sword into his chin.

His body is hacked to pieces, and cast with derision into the river Tiber.

And through all the streets the swelling cry is heard:

"Vespasian, Vespasian, our Emperor!"

"P.C. Robert & Co."

THE MAGISTERIAL MERCHANTS' PROFIT AND LOSS ACCOUNT.

STRANGE as it may appear, though many crimes are a distinct loss to the nation, yet others are really a source of profit, or, to be more accurate, defray the cost of prosecuting and punishing great offenders. It comes about this way. Police Courts are as jealous of each other as rival tradesmen, and try to show a good return in the way of solid cash for the year's working, besides defraying their own expenses.

The secret of this "mercantile" justice is really the fines and the option of a fine in lieu of imprisonment. Were the majority of the charges brought before the magistrates of such a character that they necessarily entailed imprisonment on conviction, then the ratepayers would have to disburse huge sums yearly, in addition to their already heavy burden, for the upkeep of the courts, and for the maintenance of malefactors in gaols. Our prison staffs would have to be increased, more gaols would have to be built, courts would have to be enlarged, and on the whole the country would be in a bad way. As it is, by relieving the pockets of the minor offenders of a little coin, we are able to keep the expenditure on the criminal classes down to a working minimum.

Here are a few of the really profitable lines that "Robert and Co." deal in. On those who adulterate food they net the convenient sum of about £65,000 per annum. Fines run from £5 to £100, and the magistrates have scant pity for

the man who attempts to reduce the standard purity of eatables. This is well, for the income from this source alone is sufficient to cover the expenses of all our police courts for one year. We may, therefore, consider this as the cost of "Robert and Co.'s" rent and stock; the rest is profit which can be used for the further relief of the overtaxed ratepayer.

The person who indulges in a drop too much is really a benefactor to the nation's finances, though the loss he occasions by his idleness is assuredly very great. From those who have been discovered drunk and incapable by the man on the beat the magistrates collect the sum of about £45,000 every twelve months. This is less than the sum obtained from the food-fakers, but it must be remembered that the drunkard is frequently a poor man, and the fines rarely exceed half a sovereign at a time. Moreover, many of the accused are utterly unable to pay even the small amounts demanded, and go to prison in default. It is the lowness of the financial return compared with the number of prisoners dealt with under this heading that leads magistrates to give respectable persons the option of a fine, or to fine them more heavily. The disgrace of figuring in the court is sufficient punishment, but they must also be made to pay for the upkeep of some of their poorer brethren in sin.

Mr. "Two to One bar One" is a paying customer at the magisterial emporium, though the profits arising from him seldom are more than £12,000. Still, when we come to think of the cheapness of prosecuting these gentry—they generally plead guilty, and have to pay the costs of their own prosecutions—it must not be despised. Occasionally, of course, a raid on a betting club or a gambling hell may bring in a lump sum of several hundred pounds, but the expenses of prosecuting these people are great, and the profit small, so we have to look to the legitimate "bookie" for the bulk of the above amount cut off the rates.

Till quite lately the "scorcher" was a public benefactor to the extent of £10,000, casually picked up by astute constables in country lanes; but since the advent of motor-cars, and the fatal fascination of speed, this sum has leapt up to £15,000 a year, and bids fair to increase still more in the near future.

But the kindest and best of friends to the public is the man whose penchant lies in the direction of wife-beating, fighting, and police smashing. These gentle creatures transfer from their own pockets to those of the nation no less than £90,000 every twelve months. Surely, then, it is a privilege for a constable to be battered by the Hooligan, knowing that he is helping those who can ill afford to pay taxes?

These are only the principal items which figure in the police profit and loss sheet annually; other finable offences may be lumped together and assessed at £15,000. Taking it all round, then, we may say that the cost of working our police courts is, roughly, £65,000 per annum, and the receipts from fines total up to £242,000, giving a profit of £177,000, a very appreciable amount to be knocked off the rates.

Verdict for the Lawyer.

MR. LLOYD JONES was a most popular and influential man on the Welsh Circuit, and on one occasion defended a prisoner for burglary at Swansea. Mr. Jones made a powerful speech for the defence, and the jury, as soon as the judge had summed up, and without waiting for the officer to take their verdict in the orthodox manner, called out: "My lord, we are all for Mr. Lloyd Jones, with costs!"

The Jury's Ignorance.

A CASE was tried at Merioneth some years ago in which Mr. Lloyd Jones represented one of the parties in the case, and when the jury were asked for their verdict the foreman said: "My lord, we don't know who is plaintiff or who is defendant, but we find for whoever is Mr. Lloyd Jones's man."

It transpired that Mr. Jones had been the successful candidate at a recent election, and some of the jury had been working on his behalf.

They Were Obdurate.

A LIVERPOOL gentleman was noted for the frequent singularity of opinion in the course of his duties as a juryman, and the Recorder, Mr. J. B. Aspinall, once asked him how it was that he found it so difficult to agree with his fellow-jurymen. The gentleman thereupon said: "Sir, no man is more open than I am to conviction and to do what is right in every case, but I have not met with the same consideration in others. It has generally been my lot to be in a jury with eleven of the most obstinate men, who will not listen to reason."

Leicester's Famous Crime.

How Cook, the Book-binder, murdered Mr. Paas at his shop in the Town of Leicester, in 1832. How he burnt the body, and his exciting capture in an open boat near Liverpool, when about to escape to America.

"Murder most foul, as at the best it is!"
—SHAKESPEARE, "Hamlet," Act I., Sc. 5.

MOST of our great English towns have been the scene, at one time or another, of some notorious crime — indeed, few have escaped some such unenviable visitation. In the year 1832, the prosperous town of Leicester provided the sensation-mongers with a very remarkable murder, the circumstances connected with which were sufficiently dramatic to excite attention all over the country generally. Nor is Cook's horrible crime altogether forgotten in his native town. For many years the shop where the murder and mutilation were perpetrated was quite a show-place, and a pamphlet giving a full account of the crime was issued by a very well-known firm of London publishers, a copy of which is in possession of the writer.

In the spring of 1832 there lived at No. 44, High Holborn, a gentleman named Paas, who was by trade a brass ornament manufacturer. He was an elderly man, in a considerable way of business, and it was his custom to attend many of the provincial towns in the course of the year for the purpose either of collecting debts due to him in the course of trade, or of obtaining orders from shopkeepers, whose wants he was able to supply. Business of this kind called him down to Leicester, where he arrived on the last Wednesday in May, 1832, and he arranged to stay at an inn called the Stag and Pheasant. He dined there, and subsequently called upon some customers of his, and left with them specimens of binding tools, etc., but he never returned to the tavern, and was not again seen alive. His fate was revealed by a very startling discovery.

Living at Leicester at this time was a book-binder of the name of Cook. He was a man of about thirty years of age, apparently quite respectable, and his shop was situated down a small yard in Wellington Street. About the time of the disappearance of Mr. Paas some neighbours of Cook's noticed a very large fire burning in the latter's binding-room, and they also observed a very curious and unpleasant smell. So suggestive of burning flesh was this odour that a few of them became suspicious, and a constable was sent for, and an entrance forced. Cook was found standing over the fire, and he was asked what he was doing, to which he responded that he was burning horseflesh. This explanation was not deemed at all satisfactory, and he was actually detained in custody, but when his father appeared and promised that he should appear again in the morning to answer any charge he was set at liberty. There was no suspicion of any actual murder then, and the police were, under the circumstances, not greatly to blame for what occurred. For immediately upon being released Cook absconded, getting clear away, and for some time succeeded in evading capture.

Meanwhile, suspicion was naturally strongly renewed, and a thorough examination of Cook's premises took place, and important discoveries were made. A short way up the chimney were found the lower parts of a human body, and they appeared to have been cut and sawed asunder just

above the hips. Two thighs and part of one leg were left, and the remains showed that they were part of the body of a male person. The collar of a coat, a garter, brace buckles, etc., were found amongst the ashes thrown from the fire. A pencil-case and a snuff-box were also found, on which the name of Mr. Paas was engraved, and, since that gentleman could not be found, it was at once surmised that the human remains were parts of the unfortunate tradesman, and this fact was clearly established at the inquest. The evidence given at the latter was of particular interest and importance, and sufficiently established the guilt of Cook, to capture whom the most strenuous efforts were now being made. A description of the wanted man was circulated without delay—trains were still of the future—and a reward offered for his apprehension. Particular precautions were taken at the various shipping ports to prevent his leaving the country, for the authorities felt certain that he would make great endeavours to put the ocean between him and the scene of his crime. Perfectly innocent persons were arrested in mistake for Cook, who was an ordinary-looking young man enough, and the circulation of absurd rumours helped rather to delay than hasten the capture of the suspected man. At the same time the authorities were thoroughly on the alert, and they very soon got on the track of the murderer, whose various movements became known to them. He was traced to Liverpool, at which town he arrived by coach on the evening of June 4, and information was given to the pursuing officers that he had been seen in the neighbourhood. On the morning of the 5th the constables made for the Cheshire shore, and they at once observed their man making off in an open boat, rowed by two men, near the Black Rock. The officers procured a boat, and set out in hot pursuit, and ultimately succeeded in running Cook's vessel ashore. The murderer, evading capture to the last, sprang overboard at this juncture and attempted to drown himself, but he was hauled on board by the officers and charged with being Cook, the supposed murderer of Mr. Paas. He then took out a small vial from his pocket and attempted to swallow the contents, but it was knocked from his hand by one of the constables, and then the prisoner was safely secured. On his person was found forty-four sovereigns and a half-guinea and seven and fivepence, a silver watch, a gold chain and seals, and a brooch. He was conveyed to Leicester by coach, and was brought before the magistrates, to whom he made a confession which shall be given later.

Cook was brought to trial on the 8th of August, and great excitement was manifested in Leicester at the time. The court and the streets outside were crowded with people eager to get a glimpse of the malefactor, who was a fresh-faced, innocent-looking young man, to whom, meeting him casually, one would not direct a second glance. He appeared perfectly calm and collected, and, apparently, no one took so little interest in the proceedings as the prisoner himself. Pending his trial, he had affected great contrition, but it was of a theatrical kind, and it is probable that his exaggerated humility was only assumed. After the officer, whose duty it was, had read about two counts of the indictment, the prisoner, whose mind appeared to be wholly abstracted from what was going forward, drew forth a small, neatly-bound volume of religious exercises from his left-hand waistcoat pocket and very deliberately commenced to peruse the contents. He continued to read until the indictment had been read through, when he was asked, "How say you, are you guilty or not guilty of this murder?" The prisoner replied in a subdued but firm voice, "Guilty." The judge, looking at Cook, with some surprise, said, "Prisoner, are you aware of the consequence of what you are doing? Do you plead guilty advisedly?" Cook replied, "I do, my lord," and the learned judge then paused for a few moments and said, "Prisoner, I ask you again, do you still persist in your plea?" to which the latter replied firmly, "I do." The plea was then recorded, and sentence of death passed, the prisoner heaving a deep sigh as he bowed to the Court prior to his removal by the warders.

In the meanwhile, however, the evidence taken at the inquest conclusively proved the guilt of the prisoner, and also explained sufficiently clearly how the crime had been effected. Mr. Joseph Denton, a surgeon of Leicester, stated that he was called to Cook's shop on the Friday morning by the town beadle, and that he found there a mass of boiled flesh, which was lying about the floor. He caused it to be placed on a bench, and then examined it particularly, his conclusion being that it was part of a human body of the male sex. It consisted of the lower part from the seat to the end of the thigh bones, and appeared to have been sawed off at either end. The bone of the right thigh and the pelvis were perfect, but the left thigh bone was much shattered.

Another surgeon, a Mr. Stuttard, spoke to the marks on the floor of the shop of a great effusion of blood, notwithstanding that it had evidently been well washed and scrubbed. Mr. John Timson, a broker, residing two doors from Cook's place in Wellington Street, stated that on Wednesday night a neighbour called his attention to Cook's shop, which appeared to be on fire. He instantly ran there, and could distinctly see a strong light through the window of the shop, which is an upstair room. He burst open the door and entered a cowhouse, whence a flight of brick steps led him into the shop itself. He there found a large coal fire extending to the brickwork on each side of the grate, and on the fire was a great piece of burning flesh. He took it off and put it on the floor, and then raked out the coals, putting the fire out. Cook was not there just then, but came on being sent for, and explained that he had been cooking some horse-flesh for a dog, which was to have been delivered to him on the Monday. Measures, a constable, was sent for, and he took Cook into custody, but subsequently went away and

Cook was found standing over the fire.

left the suspect in charge of Timson. Later they all went to the house of Cook's father, and Measures asked the latter if he would be responsible for his son's appearance in the morning, to which Cook senior agreed. They then separated, and Timson went home, none of them at that time having any idea of the real nature of the flesh which Cook had been burning. During the night Cook disappeared from his father's house, and on searching the shop a large hammer, a hatchet and a saw were found.

Mr. John Nokes, landlord of the Flying Horse, confirmed the last witness's evidence, and explained how Cook replied to his remark that he was very near setting the premises on fire, "Well, there is nothing the matter; the fire is out, so let's lock the door and go." His bowling-ground adjoined the back of Cook's house, and earlier that same evening he had seen the latter looking over the wall, and had offered him a glass of ale. Cook at first refused it, saying that he was unwell, but he subsequently accepted the drink, and shortly after came to the bowling-green and played there

till nine o'clock. To pay for some liquor, he produced a long brown silk purse, with two slides, and took a sovereign out and asked for change. "Stop! I think I can find half-a-sovereign," said Cook, and he appeared to be turning over a quantity of coin in the purse, which gave forth a sound like dropping heavy metal when Cook let the end containing the money fall upon the table. This purse belonged to Mr. Paas, and contained the cash he had collected on his rounds that day.

An apprentice of Cook's, named Charles Wilkinson, gave important evidence. This boy went to the shop on Wednesday morning, May 28th, about seven o'clock. At ten o'clock he was working with his master, and a gentleman came up the stairs into the shop, and, addressing Cook, said, "Good morning, Mr. Cook." The latter bade his visitor good morning, and, turning to his apprentice, said quickly, "Joey, you may go home till I fetch you." Witness accordingly went home. The gentleman was dressed entirely in black, with lappels, brown trousers, a black stock, and over them a blue-and-white silk neckerchief, unhemmed. He had largish whiskers, coming down nearly to his chin, a fresh complexion, and his face was rather long. He produced a shirt-pin, and said, "See what I found yesterday; I have no occasion for it and don't mind selling it." Witness bought a brooch from him for two shillings, and then the man showed him a gold watch, with curb chain and two gold seals and a key, and said, "See what my father has purchased for me; he gave forty guineas for them, and I would not take as much back for them again." He also asked witness to change a Bank of England note for him, and took out a £10 and a £5 note, from a long green silk purse. Witness noticed that there was also gold in the purse.

Mr. W. Mansell, bookseller, of Claremont Place, Pentonville, stated that Mr. John Paas had married his sister. The snuff-box, the pencil-case and the shirt-pin produced

THE OFFICERS PROCURED A BOAT AND SET OUT IN HOT PURSUIT.

had a red face, grey whiskers, and was rather tall. The lad observed that immediately on this gentleman's entrance his master went remarkably pale, and he observed to his mother on reaching home that he thought his master must owe him money, as he went so pale on seeing him.

Dent, a constable, produced the following articles which had been found in Cook's shop: a snuff-box, an eyeglass, a gold watchkey, a small rule, a pocket-knife, and a pencil-case marked "P." He also produced the leggings of a pair of black trousers and other fragments of clothing, much stained with blood; also a saw, a hatchet, three iron bars and two hammers.

George Cooke, living at Loughborough, said that he assisted his father to drive the Express Coach between that place and Manchester. On Friday morning, May 30, about 5.30, he entered the Black Horse yard and saw a person talking to one of the stable-keepers. Witness learnt that he had been there some time, that he came in tired, and with dirty shoes, which he had wiped with hay, and had then rested himself on a truss of straw. He had on a blue coat he could swear to having been the property of Mr. Paas, and his evidence was confirmed by a Mr. Dixon, also a relation of the murdered man's. Then came the evidence of a Mr. R. Tibbut, a bookseller in the Haymarket, Leicester. This gentleman said that at half-past nine o'clock on Wednesday morning, Mr. Paas called on him and made inquiries about the solvency of several tradesmen in the town, and mentioned Cook, amongst others. Witness told him that he knew nothing about him, and asked if he, Mr. Paas, had any account against him. Mr. Paas said that he had, and witness gave him Cook's address. He then went away and called again about two o'clock, whereupon the witness asked him if he had done his business to his satisfaction, to which Paas replied, "Pretty well, but Cook has not settled with me, and has asked me to call again in the evening." After this conversation Mr. Paas left, but he was seen again by Mr. William Hestor, of the Stag and Pheasant Inn, who declared that at six o'clock the same evening (May 28th) Mr. Paas left the inn, saying, "Now I will go and finish my business," and he went towards Cook's shop.

To the magistrates Cook, at the first examination, made the following statement. He said. "I am innocent of wilful murder and my conscience is not burdened in the manner that you gentlemen seem to suppose. Mr. Paas called on me in the morning, but what morning I cannot exactly say, my agitation of mind has been so great ever since. I paid him a bill of twelve shillings. There were two bills due. The other was for a larger sum. Mr. Paas wrote 'settled' on the twelve-shillings bill, and I told him I would strive to pay part of the other if he called again in the evening. Mr. Paas did call in the evening, but I was not able to give him anything. He was angry, and I was angry, and disagreeable words took place, and a scuffle ensued, and in this manner I was brought to this shameful and disgraceful end." The prisoner had previously told the constables that Mr. Paas had thrown the great hammer at his head, and that it struck his shoulder. In the heat of the moment he snatched up the press-pin (a strong iron bar) and hit him with it on the back of the neck, and he fell dead instantly.

On the Friday morning after his capture Cook was visited in his cell by Mr. Burbidge, the Town Clerk, and the latter asked the prisoner how he felt himself. The prisoner replied that he was more easy in his mind than he had been since the commission of the crime, and that he knew he must suffer for it; but he believed in a just God and hoped for His mercy. Mr. Burbidge then asked him if he was willing to disclose what he had done with the trunk of the body. The prisoner's exact words in reply were, "I know I shall suffer, and, as there is a just God, I burnt the whole of it. It is the truth. I am sure to suffer, and it is no use telling stories. I have entirely destroyed the body, but how I did it I can hardly tell. It was all burnt."

Mr. Burbidge, persisting, asked him when he burnt it, and he replied in the course of Wednesday night. Mr. Burbidge then asked him how he did it, and he replied that he cut it up into fragments and so placed them on the fire. The surgeons had informed Mr. Burbidge that it would be quite impossible to destroy the lungs by an ordinary fire, and the latter gentleman explained this to the prisoner, who replied in a composed but melancholy tone, "Ah! sir, but they never tried the experiment!" Mr. Burbidge next observed that he was given to understand that it would not be possible to destroy the intestines by fire without causing such a stench that would be smelt all round the neighbourhood. The prisoner, however, persisted in his version of the affair, and said, "I know nothing about that, sir. It was a very stormy night, and a great deal of rain fell; perhaps these may account for it." Mr. Burbidge asked how he could explain the circumstance of no remains of the bones of the skull or trunk being found, and the prisoner declared that they were all burnt so that he could crush them easily into fine powder with his foot. He added, placing the fingers of the right hand upon the palm of the left, "I could smash them thus." Mr. Burbidge asked him how he could think of so horrible a mode of disposing of the body. Cook answered, "What was I to do with it, sir? The dreadful deed had been committed. I must get rid of the body some way, and I had no other mode of disposing of it." Mr. Burbidge observed to him that if he cut up the body in the way he stated a great flow of blood must have taken place, and yet there were not very many marks of blood on the flooring. He asked him to account for that, and Cook said he had first strewn the floor thickly with hay and straw, which he afterwards collected together and set fire to. Mr. Burbidge asked him later why, after disposing of the greater part of the body gradually, and when what remained was not likely to be identified, he had made up the huge fire on Thursday, which he might be sure would be observed by the neighbours. The prisoner said that his state of mind then was such that he hardly knew what he was doing, and that he cared little whether he was apprehended or not.

He also stated that he had crept out of his father's house at midnight and had walked from Leicester to Loughborough, which are some nine or ten miles apart. He had gone to Manchester from the latter place by coach, and had spent one night at the cotton city, and then taken coach to Liverpool. There he had arranged to sail for America by a sailing vessel, having booked himself a passage in an assumed name, and had hired a boat and two men to take him out to her. He would, when the officers came alongside, have assuredly taken his own life had he not been prevented and handcuffed.

It is very doubtful if Cook's version of the murder was correct in all essentials. His deed was regarded with such natural horror that it is not strange that in confessing he should still seek to mitigate the loathing inspired in the populace by his horrid act, and endeavour to make the murder appear to have been the outcome of a sudden quarrel. As a matter of fact it is highly probable that Cook premeditated the crime. The week previous to the deed he had sent his apprentice for threepennyworth of laudanum, which he carried about with him and with which he endeavoured to take his life at the moment of capture. Furthermore, he told the boy to go home and to remain away till he fetched him to the shop again as soon as Mr. Paas put in an appearance. He was aware that the latter would have a considerable sum of money about his person, and it is clear that robbery was the motive for the crime. It is not likely that a respectable man like Mr. Paas would quarrel with the small tradesman Cook because he was not immediately able to pay a small account, and it seems even less likely that the creditor would suddenly resort to violence, as described by Cook. The boy Wilkinson supplied other evidence which points to premeditation. The week before Mr. Paas's arrival Cook brought a hatchet to the shop and had it ground on a stone they had there. He said he had bought it to chop sticks with, but they never used sticks either in the trade or to light the fire with; for the latter purpose they used the cuttings of the milled boards and papers. No; it is only reasonable to suppose that Cook had contemplated the crime for some days prior to its accomplishment.

It will hardly be credited that this atrocious criminal met with a discreditable amount of sympathy from a certain class of people after his dramatic capture. The fact that he assumed a vast amount of exaggerated penitence appears to have endeared him to the "converted" section of the community, who existed then as now, and his protestations of piety made him an object of warmly-cherished interest to the religious sisterhood. They sent him presents, good books and condoling words during his brief sojourn on this earth after his arrest and laid much stress on his supposed conversion.

Cook was hanged at Leicester Gaol on August 15th, 1832. Vast crowds gathered from all parts to witness the execution, and the appearance of the murderer was the signal for a great manifestation of dislike and horror. The prisoner seemed in no way affected by his hostile reception, but remained unmoved either at the anger evinced towards him by the crowd or the imminence of his punishment. His countenance was serene and his step quite steady. He appeared to pay great attention to the ministrations of the clergyman at his side, and one has reason to hope that at the last his penitence was true and sincere. He added nothing to his previous confession, nor did he alter any statement that he had ever made. "He died," says a chronicler at the time, "the death of infamy as cool and unappalled as if he had been a martyr sacrificing himself for his country or the human race."

An Intelligent and Patriotic Jury.

JOHN TYLER, the son of Governor Tyler, and who afterwards became President of the United States, was once engaged by a client, when practising at the bar, who had a most hopeless case, and who knew well that the law was against him, and had sought out Mr. Tyler, believing that if he could not obtain a verdict nobody else could. The lawyer at once saw that he could not do anything by mere argument, the law being dead against him. Mr. Stevenson was for the other side, and had a pile of books before him, from which he quoted copiously, and having laid down the law and proved his case up to the hilt, sat down with a self-satisfied air, and looked round triumphantly and with confidence, impressing the whole court with the strength of his case.

Tyler, after many compliments to his adversary, and some vague remarks about the justice of his own cause, suddenly broke out as follows:

"The gentleman has referred to authority—English authority. He has brought into this court the rules of a rigid aristocracy at war with every American principle. And, pray, what has a Charles City jury to do with English authority?—Charles City, the birthplace of Bacon's rebellion, the home of revolution, and the land of republican principle. When we cast off in blood the colonial dependency, we cast off the authority of England. Our late war was fought in the face of this English authority, which sought to make slaves of our seamen, and destroy the independence of America. Sir, this jury intends to decide this case on the broad principles of common sense and natural right. They will have none of your English authority! Away with it!" And, suiting the action to the word, he knocked over the pile of law books of his opponent so that they fell with great noise and racket at the feet of the electrified jury. When the latter retired to consider their verdict they only took five minutes to find one for Mr. Tyler's client.

The Extraordinary Case of Lady Grange.

KIDNAPPING A LADY OF TITLE.

"Behold the woes of matrimonial life!"
—POPE.

TO grasp in their entirety the whole of the circumstances surrounding this unparalleled case, the reader must throw himself back in imagination to the state of affairs existing in Edinburgh towards the end of the seventeenth century. At that period there lay in the western environs of the Scottish capital the rural estate of Dalry. In the sylvan shades of its beautiful park stood a spacious mansion, sheltered on the north by a grove of tall trees. The property is now covered with buildings, intersected by streets, and cut up by lines of railway.

The place, at the time we speak of, belonged to a person of the name of Chiesley, a man of considerable ability, but with violent passions, and perhaps, according to modern ideas, not altogether sane. Along with an ungovernable temper he possessed a grasping and miserly disposition.

This unlovable being had a wife and children, whom he treated so badly that they were compelled to leave him. Their desertion he did not mind, but his wife's claim for a separate maintenance threw him into a rage, and the rage rose to a frenzy when she appealed to the law for alimony.

The Court of Session, presided over by Sir George Lockhart, granted the unhappy lady an allowance of ninety-three pounds per annum, chargeable on the estate of Dalry, and this decision drove Chiesley to the verge of madness. It seemed to him that the Lord President of the Court had done him a grievous wrong, and he began to meditate revenge. He went about declaring openly that he would have vengeance, and he even wrote a threatening letter to his lordship. The President took no notice of his menaces, possibly looking upon them with pity and contempt; but knowing the character of the man, he ought not to have been so indifferent.

It was a Sabbath morning, March 31, 1689. The Stuarts had been dethroned, but the castle of Edinburgh still held out for the exiled family, and the town was full of the troops of the new Government. Divine service in the various churches was about to begin. At the door of one of the places of worship where the Lord President had his seat, a tall, dark-browed gentleman hovered moodily. He wore a cocked hat, and one of his hands, thrust deep into the pocket of his coat, grasped a pistol.

Presently he strode into the church, and offered the beadle money to place him in a seat immediately behind that of the Lord President. The pew, however, was already filled, and the strange worshipper had to go elsewhere.

That man was Chiesley, and his intention had been to shoot his victim in the very middle of the service; but his design had been frustrated by the mere accident of the pew having been occupied. Nevertheless, the villain was not to be balked of his prey.

At the conclusion of the service, Chiesley preceded Sir George on the route which he knew his lordship would be bound to take. Within less than a hundred yards of the church was a lane known as the Old Bank Close, where the Lord President resided, and thither the madman, for such he doubtless was, bent his footsteps.

Sir George Lockhart came sturdily along, discussing with some friends the sermon to which they had been listening. All at once a figure darted from a dark doorway, and a shot was heard.

The President immediately wheeled about, looked his murderer mournfully in the face, and then, finding himself falling, he leant against the wall and called upon his friends to help him. He was carried to his own house, but was almost dead before he reached it. He had been shot through the back, the bullet going in beneath the right shoulder and out at the left breast.

Lady Lockhart, hearing the shot and the cry in the close, rushed out, and took the body in her arms, but immediately swooned, and was carried indoors with the corpse of her husband.

The assassin did not attempt to flee. He owned to the murder, and was hurried off to prison. In due time he was tried, condemned, and hanged at the Cross of Edinburgh, with the pistol that had been the instrument of his vengeance slung round his neck. Thereafter his body was hung in chains at Drumsheuch. This latter indignity, however, was too much for his friends. They stole away the body, and buried it underneath the hearthstone of a cottage at Dalry, where a skeleton, along with the remains of a pistol, were found in recent times, in the course of some alterations.

An event such as has been described casts a lurid glow over the picture of Edinburgh at the end of the seventeenth century. Men's lives were of little consideration, and private wrongs were often settled by an appeal to the sword or pistol. Yet, strange as was the occurrence we have recalled, the story of Chiesley's daughter was stranger still, and has excited as much antiquarian interest as if it had involved the fate of Europe.

Rachel Chiesley made what many thought a better marriage than could have been expected by the daughter of an executed felon, even although that felon had been a landed gentleman. She was married to James Erskine, of Grange, an advocate of the Scottish Bar, and brother of that Earl of Mar who was attainted for the part he took in the rebellion of 1715.

It was a daring thing for Erskine to ally himself with her, for she was known to have a violent temper, inherited from her father, and to be somewhat irregular in her habits. The marriage took place in the year 1707, about the time when the advocate was raised to be a judge of the Court of Session. On his elevation to the bench, the Hon. James Erskine, as he had previously been, assumed the judicial title of Lord Grange, judges in Scotland having a right to these legal assumptions.

For three-and-twenty years the judge and his wife lived in comparative harmony. There had, of course, been the usual amount of matrimonial differences, and occasionally the lady's temper had led to bickerings somewhat more severe than are wont to be heard in domestic circles; but these were smoothed over by the husband's tact, and things rubbed on pretty fairly. They lived in a house in Edinburgh, at the foot of Niddry's Wynd, a broadish court leading from the High Street. There they had a family of children, and kept up considerable style, as befitted their position in society.

This peaceful mode of life was at length interrupted by a violent storm. It is difficult to say from which side it came. If we are to believe the lady, there had been love and happiness for twenty years, when suddenly Lord Grange took a dislike to her, and would no longer live with her. He, on the other hand, speaks of having suffered long from her "unsubduable rage and madness," and of having failed in all his efforts to bring her to a reasonable conduct. It is too probable that the latter statement is the true one, although were it indubitably confirmed, it would not justify Lord Grange in the measures he took with respect to his wife.

It is traditionally stated that in their unhappy quarrels the lady did not scruple to remind her husband whose daughter she was—thus darkly hinting at what she was capable of if aggravated beyond control. However all this might be, in the year 1730 a separation was agreed to (with great reluctance on the part of the lady), his lordship undertaking to give her a hundred a year for her maintenance, so long as she continued to live apart from him.

After spending some months in the country, Lady Grange returned to Edinburgh, and took a lodging near her husband's house, for the purpose, as she tells us, of endeavouring to induce him to take her back, and that she might occasionally see her children.

According to Lord Grange, she began to torment him by following him about the street "in a scandalous and

shameful manner," and coming to his house, and calling reproaches to him through the windows, especially when there was company with him.

Grange became alarmed for his personal safety; but he had other and more serious grounds for apprehension. Being the brother of the Earl of Mar, who had fled to France, he had only saved himself from being openly accused as a Jacobite by his strict conformity with all the forms of the ultra-religious party in Scotland, and a pretence of extreme piety and devoutness. Notwithstanding his protestations of godliness, there were many persons who believed him to be intriguing for the return of the Stuarts, and carrying on a treasonable intercourse with his brother and friends across the Channel. It would appear that these suspicions were not baseless, and that Lady Grange had not only become possessed of some of her husband's most cherished secrets, but that a compromising document had fallen into her hands which proved the judge to be a traitor. This letter the lady threatened to take to London and show to Sir Robert Walpole, who was Grange's most inveterate enemy. She had actually taken a seat in a stage-coach for London, with the intention of carrying out her threat, when Lord Grange caused a friend "to go and make interest to get her money returned, and the seat let to another person," in which odd proceeding he was successful. Thus was the journey stayed for the time being; but the lady swore she would go as soon as possible.

Lord Grange was now at his wits' end. Her conduct was more than flesh and blood could bear; and he began to concoct a scheme by which he might get rid of his terrible incubus.

The result of his lordship's deliberations was a plan for what he delicately called "sequestrating" his wife. It was illegal, and for one in the position of a judge it was disgraceful. Instead of seeking the protection of the law, he arbitrarily resolved to get Lady Grange carried off by force, and furtively sent into exile.

This plot was concerted between himself and a number of Highland chiefs, including, above all, the infamous Lord Lovat, who, a few years after, was to conclude a long life of treachery, cruelty, and selfish ambition upon Tower Hill. No sooner was the lady's fate decided upon than preparations were made for the execution of the measure.

On the evening of January 22, 1732, a party of Highlanders, wearing the livery of Lord Lovat, made their way into the lodgings of Lady Grange, forcibly seizing her, throwing her down, and gagging her, and then, tying a cloth over her head, they carried her off as if she had been a corpse. At the bottom of the stair was a sedan-chair containing a man, who took the hapless lady upon his knees, and held her fast in his arms till they got to a place that was outside the town. There they took her from the chair,

THE SEIZURE OF LADY GRANGE.

removed the cloth from her head, loosened the gag, and mounted her upon a horse behind a man, to whom she was tied. Thus they rode off, regardless of the poor woman's cries and objurgations.

The leader of the gang was a Mr. Forster, of Corsebonny, who did not pay much heed to the lady's appeals, for when she prayed to him to stop for the relief of a pain in her side, he gruffly ordered the servant, behind whom she rode, to replace the bandages over her mouth.

In this manner they rode for nearly twenty miles, when they stopped at Muiravonside, the house of Mr. John Macleod, advocate, where servants appeared, waiting to receive the victim; thus it was shown that the master of the house had been engaged to aid in her abduction.

She was taken upstairs to a comfortable bedroom; but a man being posted in the room as a guard, she could not go to bed or take any repose. In this fashion she spent the ensuing day, and when it was night she was taken out

and remounted in the same way as before, and the party then rode along through the Torwood, and so to the place called Wester Polmaise, belonging to a gentleman of the name of Stewart, whose steward, or factor, was one of the cavalcade. Here was an old tower, having one little room on each floor, as is usually the case in such buildings, and into one of these rooms, the window of which was boarded over, the lady was conducted.

She continued here for thirteen or fourteen weeks, supplied with a sufficiency of the comforts of life, but never allowed to go into the open air, till at length her health gave way, and the factor began to fear being concerned in her death. By his intercession with Mr. Forster, she was then permitted to go into the court, under a guard, but such was the rigour of her keepers that she was not permitted to walk in the garden.

Thus time passed drearily on until the month of August, during all which time the prisoner had no communication with the outside world. At length, by an arrangement made between Lord Lovat and Mr. Forster, at the house of the latter, near Stirling, Lady Grange was one night forcibly brought out, mounted again as formerly, and carried off amidst a guard of horsemen. She recognised several of Lovat's people in this troop, and found Forster once more in command. They passed by Stirling Bridge, and thence onward to the Highlands; but she no longer knew the way they were going. Before daylight they stopped at a house where she was lodged during the day, and at night the march was resumed.

Thus they journeyed for several days into the Highlands, never allowing the unfortunate lady to speak, and taking the most rigid care to prevent anyone from becoming aware of her situation. During this time she was never able to remove her clothes. One day she slept in a barn, another in an open enclosure. Regard to delicacy in such a case was impossible. After a fortnight spent at a house on Lord Lovat's ground (probably in Stratherrick, Inverness-shire), the journey was renewed in the same style as before, save that Mr. Forster had retired from the party, and the lady found herself entirely in the hands of the Frasers.

They now crossed a loch into Glengarry's land, where they lodged several nights in cowhouses, or in the open air, making progress all the time towards the westward, where the country becomes extremely wild. At Lochowen, an arm of the sea on the west coast, the unfortunate lady was transferred to a small vessel, which was in waiting for her. Bitterly did she weep and pitifully implore compassion; but the Highlanders understood not her language, and even had they done so a departure from the orders which had been given was not to be expected from men of their character. In the vessel she found that she was in the custody of Alexander Macdonald, a tenant of one of the western islands named Heskir, belonging to Sir Alexander Macdonald, of Sleat.

The unhappy creature remained in Macdonald's charge at Heskir nearly two years, during the first year without once seeing bread, and with no supply of clothing—obliged, in fact, to live in the same miserable way as the rest of the family; but afterwards some little indulgence was shown to her.

This island was of desolate aspect, and had no inhabitant except Macdonald and his wife; so that the wretchedness of such a situation for a lady who had been all her life accustomed to the refined society of a capital may easily be imagined. Macdonald would never allow her to write to anyone, but he went to his landlord, Sir Alexander, to plead for the indulgences she required. On one of these occasions Sir Alexander expressed his regret at having been concerned in such an affair, and wished he were quit of it. The wonder is, how Erskine could have induced all these men to interest themselves in the "sequestration" of his wife. One thing, however, is certain; they were all of them friends of the Stuart family, as was Macleod, of Macleod, into those hands the lady subsequently fell. It therefore becomes probable that Lord Grange had at least convinced them that her seclusion from the world was necessary in some way for the preservation of political secrets important to them. This would argue that the judge himself was privy to those secrets and therefore a traitor to the Crown.

In June, 1734, a sloop came to Heskir to take away the lady: it was commanded by a Macleod, and in it she was conveyed to the remotest spot of ground connected with the British Islands—the lonely and storm-beaten Isle of St. Kilda, which was the property of the chief of Macleod, and remarkable then, as now, for the simple character of its inhabitants.

In some respects this was an advantageous change for the lady. Although she was more remote from all aid, the place was not uninhabited, as Heskir nearly was, and her domestic accommodation was better. In St. Kilda she was placed in a tiny cottage, little better than a hovel, of two small apartments, tolerably well furnished, with a girl to wait upon her, and provided with a sufficiency of good food and clothing. Of educated persons the island contained not one, excepting a clergyman, named Roderick Maclennan, who stayed there for a short time. There was hardly even a person capable of speaking or understanding the English language within reach. No books, no intelligence from the world in which she had once lived. Only once a year did a steward come to collect the rent, paid in kind, by the poor peasantry; and by him was Lady Grange regularly furnished with such luxuries as were foreign to the island—usually a stone of sugar, a pound of tea, six pecks of wheat, and an anker, or small cask of spirits, containing about eight and a-quarter gallons of liquid. This would seem meagre enough at the present day, if we except the spirits, but to Lady Grange the supply was ample when added to the native fare. She only lacked society and perfect freedom.

She Pityfully Implored Compassion.

In this way she spent seven dreary years in St. Kilda. It is said that she was kind to the inhabitants, giving them from her own stores, and sometimes inviting the women to come and dance before her; but her temper and habits were not such as to gain their esteem. Often she drank too much; and whenever anyone near her committed the slightest mistake she would fly into a furious passion, and even resort to violence. Once she was detected, during the night, in an attempt to secure a pistol from above the steward's bed in the room next her own. On his awaking and seeing her, she ran off to her own bed. One is disposed, of course, to make all possible allowances for a person in her wretched circumstances; yet there can be little doubt, from the evidence since obtained, that it was a natural and habitual violence of temper which displayed itself during her residence in St. Kilda.

Meanwhile, what was her husband about? This pious and sanctimonious leader of a religious party had at first caused a deliberate lie to be put in circulation. The death of Lady Grange was announced, her funeral was duly attended, and the widower preserved the decorous silence of one to whom death has brought relief from what is generally counted a calamity.

Little did the old judge imagine, at the time when he had so successfully and so quietly got rid of his domestic curse, and with her the danger of lasting disgrace and ruin—when the mock funeral had been performed, the family condolences acted over, and the victim safely conveyed to her distant prison, that on some future day the public, frantic with curiosity, would tear to pieces the covering of his great mystery, and expose every fragment of it to the admiring crowd.

Strange rumours began to float about Edinburgh that Lady Grange was not dead, but had been forcibly carried away and placed in seclusion by orders of her husband; but her whereabouts was a mystery to all save the few who were concerned to keep it secret.

Moved by political ambition, Erskine gave up his seat on the Bench in 1734, the very year in which his wife had been, as he believed, successfully hidden away in the rocky fastnesses of St. Kilda, and went into Parliament as member for Clackmannanshire. He had hopes of distinguishing himself in opposition to Sir Robert Walpole; but he ruined all at his first appearance by a display of oratory against the proposal to abolish the statutes against witchcraft. Affecting a pious horror of necromancy, he maintained that witches ought not to be suffered to live, for such was the injunction of Scripture. For this fanatical harangue he was laughed at by Walpole, and the ridicule ruined his career as a politician.

In the winter of 1740, a communication from Lady Grange herself for the first time reached her friends. Her letter, written from St. Kilda, and dated January 20, 1738, had taken two years to reach Edinburgh. It was addressed to the Solicitor-General, gave a narrative of her sufferings, and concluded with the piteous appeal: "When this comes to you, if you hear I am alive, do me justice, and relieve me. I beg you make all haste; but if you hear I am dead, do what you think right before God." She subscribed herself "Rachel Erskine."

The letter still exists. It is fairly written, though with defective orthography, and has been exhibited as a curiosity by the Society of Antiquaries of Scotland. This interesting communication was brought by the minister, Maclennan, and his wife, who had left St. Kilda in discontent after quarrelling with Macleod's steward.

The idea of a lady by birth and education being immured for a number of years in an outlandish place, where only the most illiterate people resided, and this by a husband who could only complain of her irritable temper, struck forcibly upon public feeling, and particularly upon the mind of Lady Grange's legal adviser, Mr. Hope, of Rankeillor, who, since the scandal of her abduction had been rumoured abroad, had taken a keen interest in her fate. Of Mr. Hope, it may be remarked, that he was also a zealous Jacobite; yet, though all the persons engaged in the kidnapping of the lady were of that party, he hesitated not to take active measures on the contrary side.

He immediately applied for a warrant to search for and liberate Lady Grange. This application was opposed by the friends of her husband, and eventually it was defeated; yet Mr. Hope was not on that account deterred from hiring a vessel, and sending it with armed men to secure the freedom of his client, a step which, as it was illegal and dangerous, obviously implied no small risk on his part. It came to nothing.

The poor lady, however, was not destined to end her days on the island of St. Kilda. The attempt to rescue her, though abortive, possibly stimulated Erskine and his political confederates to hide her in some new and secret place of confinement. She was removed to the mainland in Rossshire, and there, after undergoing a few more years of rigorous confinement, she died in May, 1745. She had been illegally detained for upwards of twelve years, a circumstance reflecting great discredit on the public authorities, who had been made aware of her case.

Erskine, her miserably intriguing husband, spoke lightly of her decease, and, indeed, viewed it as being in the character of a relief. His latter days were in strange contrast with his former position as a judge. He lived in not a very reputable way in a mean lodging in the Haymarket, Westminster, and there he died in 1754, regretted by none.

Such is the story of Lady Grange, daughter of Chiesley, the murderer; and, while we pity her sorrows, we cannot help uttering the trite remark that fact is stranger than fiction. It has often been told before, but the sources from which this narrative has been culled* leave no room for dispute as to its genuineness.

* "Blackwood's Magazine" and "Chambers's Journal."

The JUDGE and JURY

PART VII.

THE COMPETENCY OF WITNESSES.

UNTIL the Act of 1898 was passed, Mrs. Gardiner would not have been allowed to give evidence on behalf of her husband. Nowadays, practically every person is a competent witness. Disqualifications, which formerly existed on such grounds as interest, or criminal record, or being a party to the proceedings, have been removed by the above statute. Consequently, though the "flowers that bloom in the spring, tra la!" are, or should be, rigorously excluded from all legal proceedings in this country, for the very sensible reason that "they have nothing to do with the case," yet a judge and jury cannot refuse to listen to the statements made by Cretans, who, according to a Greek poet quoted in the New Testament, "are always liars, evil beasts, slow bellies." But there is a difference between a witness's competency and his credibility. The Romans talked of "Punica fides" as being anything but eighteen carat. Strange to say, the evidence of a native-born subject of "Perfide Albion" is most highly esteemed on the other side of the British Channel. Under the general law, as it stood before the Act of 1898 came into force, a person charged with an offence was not competent to give evidence on his own behalf; but many exceptions had been made to this rule by legislation, and the rule itself was finally abolished by the Criminal Evidence Act, 1898. It may be remarked that its abolition did not meet with the approval of Lord Russell of Killowen, who instanced a case of his remarking to a prisoner who was giving evidence: "I did not quite catch what your last sentence was." "Six months, my lord," replied the prisoner, who really had only been asked to repeat the last dozen words of his evidence, but who blundered into letting the late Lord Chief Justice learn that there had been a previous conviction against him.

Under the new law a person charged is a competent witness, but:

(i) He can only give evidence for the defence; and

(ii) He can only give evidence if he himself applies to do so.

Under the law as it stood before 1898 persons jointly charged and tried together were not competent to give evidence either for or against each other. Under the new law a person charged jointly with another is a competent witness, but only for the defence, and not for the prosecution. Consequently, if one person charged applies to give evidence, his cross-examination must not be conducted with a view to establish the guilt of the other.

If, therefore, it is thought desirable to use against one prisoner the evidence of another who is being tried with him, the latter should be released, or a separate verdict of not guilty taken against him. A prisoner so giving evidence is popularly said to "turn King's evidence" (or, in the United States of America, to "turn State evidence"). If a prisoner thinks that the evidence of one or more of the other prisoners proposed to be jointly arraigned with him will be material to his defence, he should ask for a separate trial, a thing which he could claim from a Court Martial, and which would probably be granted him at a civil court.

It follows from what has been stated that the evidence of an accomplice is admissible against his principal, and vice versâ, subject, if they are tried together, to what has been stated in the preceding paragraph. The evidence of an accomplice should always be received with great jealousy and caution. A conviction on the unsupported testimony of an accomplice may, in some cases, be legal, but it is the practice to require it to be confirmed by unimpeachable testimony in some material part, and more especially as to his identification of the person or persons against whom his evidence may be received.

As was stated above, the wife of a person charged is now a competent witness, but except in certain special cases:

(i.) She can only give evidence for the defence; and

(ii.) She can only give evidence if her husband applies that she should do so.

Of course, she can, under cross-examination, give evidence that is very useful to the prosecution. In a recent case a famous King's Counsel behaved like the gentleman and forbore cross-examining a prisoner's wife. Of course, I allude to the Gardiner case. The special cases in which a wife can be called as a witness either for the prosecution or for the defence, and without the consent of the person charged, are where the prisoner is charged with an offence under Sections 48-55 of the Offences against the Person Act, 1861 (24 and 25 Vict., c. 100); or under Section 12 or 16 of the Married Women's Property Act, 1882 (45 and 46 Vict., c. 75); or under the Criminal Law Amendment Act, 1885 (48 and 49 Vict., c. 69); or under the Prevention of Cruelty to Children Act, 1894 (57 and 58 Vict., c. 41); and cases in which the wife is by common law a competent witness against her husband, *i.e.*, where the proceeding is against the husband for bodily injury or violence inflicted on his wife. The rule of exclusion extends only to a lawful wife, and in the old days people quoted awful examples of men who met their well-deserved fate on the scaffold, but who most probably would have escaped if they had only "made an honest woman" of their paramour, inasmuch as she, had she been lawfully married, would not have been allowed to give evidence against them.

There is no ground for supposing that the wife of a prosecutor is an incompetent witness, though her testimony may not have as much effect on a jury as that of somebody else.

A witness is incompetent if, in the opinion of the court, he is prevented by extreme youth, disease affecting his mind, or any other cause of the same kind, from recollecting the matter on which he is to testify, from understanding the questions put to him, from giving rational answers to those questions, or from knowing that he ought to speak the truth. By the Criminal Law Amendment Act, 1885 (48 and 49 Vict., c. 69, s. 4), and the Prevention of Cruelty to Children Act, 1894 (57 and 58 Vict., c. 41, s. 15), special provision is made for the reception of the unsworn evidence of a child in the case of certain offences against girls. The Penruddock cruelty case is so recent that little Connie's being examined unsworn can hardly be forgotten.

A witness unable to speak or hear is not incompetent, but may give his evidence by writing or by signs, or in any other manner in which he can make it intelligible, but such writing must be written and such signs made in open court. Evidence so given is deemed to be oral evidence. It is a long time since we witnessed the sensational drama, the "Dumb Man of Manchester," and we much regret having missed "L'Enfant Prodigue." But we must warn our readers against relying on the stage for lessons in law or lessons in logic.

The particular form of the religious belief of a witness, or his want of religious belief, does not affect his competency. Mr. Montagu Williams told the story of a Hebrew attorney who was always urging Williams to inform the jury that a certain witness was a Jew. "Tell 'em he's a Jew, Mr. Williams; tell 'em he's a Jew." "But you're a Jew yourself!" "I know that. But tell 'em he's a Jew. It will prejudice him with the jury." We have grown out of those ideas, most of us. But an East-end County Court judge is always setting himself a mental problem: "I have made up my mind that Witness A tells lies three times out of five, Witness B four times out of five, Witness C three times out of four, and Witness D twice out of three times. They are all Polish Jews. How am I to arbitrate in a case where A and C are for the plaintiff and B and D are for the defendant?" As we said at the beginning of this article, no person is disqualified on moral or religious grounds from giving evidence, but his character may be such as to throw grave doubts on the value of his evidence in Judge Bacon's eyes or those of any man with a knowledge of human nature. The parent may be examined on the trial of the child, the child on that of the parent, master for or against servant, and servant for or against master. A cabman may tell the tale for his fare, and can be made to give evidence at the rate of half-a-crown an hour, with a trifle thrown in for the "waterman"; if any cabman says he must have a whole day's "time" before he will go into the box he is doing a risky thing with his licence. But with the present slump in the cab trade, what with the Tube and such like, a cabman is not likely to play the garden goat.

Leaves from Our Notebook.

A Matter-of-fact Justice.

A SHORT time after the statue of Canning was put up in Palace Yard, the copper colour not yet blackened by the smoke of London, Justice Gazalee (the Justice Starelee whom Dickens has immortalised in Bardell v. Pickwick) was walking away from Westminster Hall with a lawyer named Curwood, when the judge in his solemn, dignified way, looked up at the statue, which was of heroic size, and said, "I don't think that is very like Canning; he was not so large a man."

"No, my lord," answered Curwood, "nor so green."

The Lawyer's Retort to the Soldier.

HENRY MACKENZIE, "The Man of Feeling," was once in the Highlands, in the year 1786, and he there met an eminent general who had been enjoying some sport among the grouse. After dinner the conversation turned on the different kinds and deadly effects of poisons, and much was said about ratsbane and laurel. The general wound up with the remark, "We are in the habit of saying in England that ratsbane will not kill a lawyer." To which the ex-solicitor retorted, "And we, in Scotland, are in the habit of saying that generals are in no danger from laurels."

He Proved an Alibi.

A HIGHWAYMAN having committed a highway robbery immediately rode one hundred miles, at top speed, changing horses whenever necessary, and covering the distance in a very short time. When he arrived at a place where he believed himself safe, he took out his watch, and, showing it to the people of the inn where he was staying, he said to them, "I call you to witness that at seven o'clock I came here, and I desire you to give me a certificate in writing, as I have made a bet with a friend that I would be here by that hour." This was accordingly given, and it saved his life, for when he was arrested and tried, he was about to be found guilty when he produced the certificate in support of an alibi, and he was acquitted.

An Endless Chase.

JAMES WATT, the inventor of the steam engine, was fond of relating a case of great and touching difficulty in the execution of a legal process. The excisemen once received intelligence of some illicit transactions, and gave chase to two smugglers. The latter reached the mouth of a coal pit, and got into the corve cage with their belongings, smuggled and otherwise, just as the excisemen were coming up within sight, and they descended into the coal pit in safety. The excisemen at once made arrangements to go down after the smugglers, but when they were half-way down they were dumbfounded at seeing their prey coming up again in the other cage. The chase continued again and again, the excisemen going down and meeting the smugglers coming up time after time, and they passed and repassed each other, glaring horribly at one another as they passed, but never being able to get nearer, and, for aught anybody knows to the contrary, they are still going up and down the shaft.

Answers to Correspondents

The Editor will be pleased to answer any suitable questions.

M. H. V.—Patrick Judge was hanged at Newcastle in 1886 for wife murder.

PICKWICK.—Pounds may still be seen in some country places. Of course they were not used for human beings. Have you no sense of humour?

MARGARET.—Yes; boiling to death was the punishment for poisoning from 1532 to 1547. Richard Rosse and Margaret Davy both suffered that penalty.

BOURREAU.—You are right; John Price was for many years the Tyburn hangman. The fates of his victims, however, did not deter him from murdering his wife, and he was hanged at Bunhill Fields in May, 1719.

R. B. (Bolton).—Mr. Montagu Williams used to pride himself on the fact that he was the only counsel who ever gained the day for the Claimant. He appeared for Orton in a purely technical application which the judge was bound to grant.

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